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# HANSARD'S
# PARLIAMENTARY DEBATES,

## THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

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31° VICTORIÆ, 1867-8.

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VOL. CXCI.

COMPRISING THE PERIOD FROM

THE TWENTY-THIRD DAY OF MARCH 1868,

TO

THE EIGHTH DAY OF MAY 1868.

---

Second Volume of the Session.

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To leave out from the word "House" to the end of the Question, in order to add the words "while admitting that considerable modifications in the Temporalities of the United Church in Ireland may, after the pending inquiry, appear to be expedient, is of opinion that any proposition tending to the disestablishment or disendowment of that Church ought to be reserved for the decision of a new Parliament,"—(*Lord Stanley*,) instead thereof.

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Motion for Leave (*Mr. Chancellor of the Exchequer*) .. .. 678

After short debate, Motion *agreed to*:—Bill to enable Her Majesty's Postmaster General to acquire, work, and maintain Electric Telegraphs, *ordered* (*Mr. Chancellor of the Exchequer, Mr. Stephen Cave, Mr. Sclater-Booth*); *presented*, and read the first time [Bill 82.]

United Parishes (Scotland) Bill—*Ordered* (*Mr. Waldegrave-Leslie, Major Walker, Mr. Wellwood Maxwell, Mr. M'Lagan*); *presented*, and read the first time [Bill 81] 682

## LORDS, THURSDAY, APRIL 2.

Private Bills—The Easter Recess—

*Resolved*, That Standing Order No. 179. Sect. 1. be suspended; and that the Time for depositing Petitions praying to be heard against Private Bills, which would otherwise expire during the Adjournment of the House, be extended to the First Day on which the House shall sit after the Recess at Easter .. .. .. 682

**Marine Mutiny Bill—**

*Moved*, "That the Bill be now read $2^a$,"—(*The Earl of Longford*) .. 683

After short debate, Motion *agreed to*:—Bill read $2^a$ accordingly; Committee *negatived*, and Bill to be read $3^a$ *To-morrow.*

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**Poor Relief Bill** [H.L.]—Select Committee *nominated*:—List of the Committee .. 688

Public Petitions—Printing Petitions—

*Moved*, "That a Select Committee be appointed to whom all Petitions presented to this House shall be referred, with Instructions to the said Committee to report whether any of the Petitions so referred ought to be printed for the Use of this House,"—(*The Earl Russell*) .. .. .. .. .. 688

After short debate, Motion amended, and *agreed to.*

*Resolved*, That a Select Committee be appointed to whom all Petitions presented to this House, other than Petitions relating to Private Bills, shall be referred, with Instructions to the said Committee to direct the printing for the Use of the House of such Petitions as they shall think fit,—(*The Earl Russell.*)

Business of the House—Resolutions—

*Moved*, "That it is expedient that Notice of an Intention to ask a Question should be given in the Minutes, except in Cases which admit of no Delay,"—(*The Lord Privy Seal*) 690

After short debate, Motion (by Leave of the House) *withdrawn.*

*Moved*, That it is desirable where it is intended to make a Statement or raise a Discussion on asking a Question that Notice of the Question should be given in the Orders of the Day and Notices,—(*The Lord Chancellor*) .. .. .. 693

After short debate, Motion *agreed to.*

*Moved*, "That the Committee of Selection are desired to exercise their Discretion in calling for the Service of Lords absent from the House,"—(*The Lord Privy Seal.*)

Amendment *moved*, To leave out from ("Selection") to the end of the Motion for the Purpose of inserting the Words following, ("should in the Exercise of their Discretion call more frequently than at present for the Service of Lords absent from the House,")—(*Lord Chelmsford.*)

Amendment (by Leave of the House) *withdrawn.*

*Moved*, That the Absence of any Lord from this House, except for sufficient Reason, ought not to prevent the Committee of Selection from calling for his Services,"—(*The Viscount Halifax.*)

Motion *agreed to.*

*Resolved*, That in entering in the Journals the Reports of Bills amended in Committees of the Whole House, the only Name entered therewith shall be that of the Lord who moves the Reception of the Report and takes Charge of the Bill in that Stage,—(*The Lord Privy Seal.*)

**Bills of Exchange and Promissory Notes Bill** [H.L.]—*Presented* (*The Marquess of Clanricarde*); read $1^{a}$ (No. 65) .. .. .. .. 697

## COMMONS, THURSDAY, APRIL 2.

Privilege—Members' Seats in this House—Observations, Colonel Greville-Nugent; Reply, Colonel Sykes .. .. .. 697

Merchant Shipping Consolidation Bill—Question, Mr. Graves; Answer, Mr. Stephen Cave .. .. .. .. 699

Technical Education—Mr. Whitworth's Endowment—Question, Mr. Bruce; Answer, Lord Robert Montagu .. .. .. 699

Court of Chancery—Salaries and Expenses—Question, Mr. Childers; Answer, The Chancellor of the Exchequer .. .. 700

Vaccination—Small-pox at Woolwich—Question, Sir J. Clarke Jervoise; Answer, Lord Robert Montagu .. .. .. 701

Ecclesiastical Commissioners—Benefice of Kilpec, Hereford—Question, Colonel Barttelot; Answer, Mr. Mowbray .. .. 701

Election Petitions and Corrupt Practices at Elections Bill—Bribery at Municipal Elections—Question, Mr. J. Stuart Mill; Answer, Mr. Disraeli .. .. .. .. .. 702

Case of Police Sergeant Stone—Question, Mr. Labouchere; Answer, Mr. Gathorne Hardy .. .. .. .. 702

The Abyssinian Expedition Estimates—Question, Mr. Fawcett; Answer, Sir Stafford Northcote .. .. .. .. 703

CHOLERA IN THE MEDITERRANEAN—Question, Sir J. Clarke Jervoise; Answer, Lord Stanley .. .. .. .. 703

POOR LAW—GRAVESEND BOARD OF GUARDIANS—Question, Mr. O'Reilly; Answer, Sir Michael Hicks-Beach .. .. .. .. 704

RULE OF THE ROAD AT SEA—Question, Mr. Holland; Answer, Mr. S. Cave 705

INSURRECTION IN CRETE—Question, Mr. Kennedy; Answer, Lord Stanley .. 705

BOUNDARY BILL—Question, Mr. Watkin; Answer, Mr. Gathorne Hardy .. 706

ELECTRIC TELEGRAPHS BILL—Question, Mr. Ayrton; Answer, The Chancellor of the Exchequer .. .. .. .. 706

ESTABLISHED CHURCH (IRELAND)—THE APPROACHING DIVISION—Questions, Mr. Yorke, Viscount Cranborne; Answers, Lord Stanley, Mr. Speaker .. 706

ESTABLISHED CHURCH (IRELAND) — THE MAYNOOTH GRANT—Question, Mr. Whalley; Answer, Mr. Gladstone .. .. .. 708

ESTABLISHED CHURCH (IRELAND)—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [30th March],—

"That this House will immediately resolve itself into a Committee to consider the said Acts,"—(*Mr. Gladstone*:)

And which Amendment was,

To leave out from the word "House" to the end of the Question, in order to add the words "while admitting that considerable modifications in the Temporalities of the United Church in Ireland may, after the pending inquiry, appear to be expedient, is of opinion that any proposition tending to the disestablishment or disendowment of that Church ought to be reserved for the decision of a new Parliament,"—(*Lord Stanley*,) instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question:"—Debate *resumed* .. .. .. 790

After long debate, Debate *further adjourned* till *To-morrow.*

**Metropolis Gas Bill** [Bill 49]—

*Moved,* "That the Bill be now read a second time,"—(*Mr. Morrison*) .. 798

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *To-morrow.*

SUPPLY—CIVIL SERVICE ESTIMATES—*considered* in Committee.

(In the Committee.)

*Resolved,* That a sum, not exceeding £1,200,000, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services, to the 31st day of March 1869 .. .. .. .. 799

[Then the several Services set forth at length.]

Resolution to be reported *To-morrow*; Committee to sit again *To-morrow.*

**County General Assessment (Scotland) Bill**—*Ordered* (*The Lord Advocate, Mr. Secretary Gathorne Hardy, Sir James Fergusson*); *presented,* and read the first time [Bill 84] .. .. .. .. .. 801

**Peerage (Ireland) Bill**—*Ordered* (*Sir Colman O'Loghlen, Mr. Monsell, Mr. Shaw-Lefevre*); *presented,* and read the first time [Bill 83] .. .. .. 802

## LORDS, FRIDAY, APRIL 3.

BANKRUPTCY BILL—Question, Lord Chelmsford; Answer, The Lord Chancellor 802

INSURRECTION IN CRETE—MOTION FOR AN ADDRESS—*Moved,*

"That an humble Address be presented to Her Majesty for, Copy of the Instructions to the British Representative at Paris in reference to the identic Note proposed to be communicated to the Porte by Russia, France, Italy, and Prussia,"—(*The Lord Campbell*) 803

After debate, Motion (by Leave of the House) *withdrawn.*

Technical Education — The Whitworth Scholarships — Observations, Earl Granville; Reply, The Duke of Marlborough .. .. 820

Minute by the Lords of the Committee of Privy Council on Education respecting the Scholarships proposed to be founded by Mr. Whitworth: *Presented* (by Command), and Ordered to lie on the Table.

**Partition Bill** [H.L.]—*Presented* (*The Lord Chancellor*); read 1ª (No. 67) .. 825

## COMMONS, FRIDAY, APRIL 3.

The Easter Recess—Ministerial Statement (*Mr. Disraeli*) .. .. 826

*Moved,* "That the House upon its rising should adjourn until *Monday*, 20th April."

After short debate, Motion *agreed to:*—House, at rising, to adjourn till *Monday*, 20th April.

The Scotch Reform Bill—Question, Mr. Craufurd; Answer, Mr. Disraeli 829

Civil Service Estimates—Question, Mr. Childers; Answer, Mr. Disraeli .. 830

Retirement of Field Officers of the Indian Army—Question, Mr. Dimsdale; Answer, Sir Stafford Northcote .. .. .. 830

Land Writs Registration (Scotland) Bill Fees — Question, Mr. Childers; Answer, Mr. Sclater-Booth .. .. .. 830

Bankruptcy (Ireland) — Question, Mr. Serjeant Armstrong; Answer, The Attorney General for Ireland .. .. .. 830

Board of Trade—Private Bills—Question, Mr. Waldegrave-Leslie; Answer, Mr. Stephen Cave .. .. .. .. 831

Member for Thetford — Titles of Dignity — Question, Mr. Darby Griffith; Answer, Mr. Disraeli .. .. .. .. 831

Ireland—Arrest of Mr. J. Downy—Question, Mr. Rearden; Answer, The Earl of Mayo .. .. .. .. 833

Turnpike Trusts—Question, Mr. Whalley; Answer, Mr. Gathorne Hardy .. 833

Army — Alleged Flogging of Mule Drivers in Abyssinia — Question, Mr. Buxton; Answer, Sir Stafford Northcote .. .. 834

The Play of "Oliver Twist"—Question, Mr. Brady; Answer, Mr. G. Hardy 834

Ireland—The Regium Donum—Question, Mr. Vance; Answer, Mr. Gladstone 835

Ireland—The Maynooth Grant—Observations, Mr. Whalley .. 836

Riots in Belgium—Question, Mr. Grant; Answer, Lord Stanley .. 837

Established Church (Ireland)—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [30th March],

"That this House will immediately resolve itself into a Committee to consider the said Acts,"—(*Mr. Gladstone:*)

And which Amendment was,

To leave out from the word "House" to the end of the Question, in order to add the words "while admitting that considerable modifications in the Temporalities of the United Church in Ireland may, after the pending inquiry, appear to be expedient, is of opinion that any proposition tending to the disestablishment or disendowment of that Church ought to be reserved for the decision of a new Parliament,"—(*Lord Stanley,*)—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question:"—Debate *resumed* .. .. .. 837

After long debate, Question put:—The House *divided;* Ayes 330, Noes 270; Majority 60 .. .. .. .. 941

Division List, Ayes and Noes .. .. .. 941

Main Question put:—The House *divided;* Ayes 328, Noes 272; Majority 56:—Acts *considered* in Committee.

Committee report Progress; to sit again upon *Monday* 27th April.

**Entail Amendment (Scotland) Bill**—*Ordered* (*The Lord Advocate, Sir James Fergusson, Mr. Secretary Gathorne Hardy*); *presented,* and read the first time [Bill 86] .. 946

## COMMONS, MONDAY, APRIL 20.

Page

SUPPLY — Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

INDIA—IRRIGATION OF PUBLIC LANDS—RESOLUTION—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the advance of £600,000 of public money on loan to a private company of adventurers styling themselves the Madras Irrigation Company, granted on the 15th day of May 1866 for their sole benefit, and likewise the offer of a large loan on similar terms announced by the Secretary of State on the 20th day of February last as contemplated to be given to the East India Irrigation and Canal Company, are acts of impropriety, are mischievous in policy, and should be discontinued,"—(*Mr. Smollett,*)—instead thereof .. .. .. 946

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Amendment, by leave, *withdrawn.*

CONDITION OF CEYLON—MOTION FOR A SELECT COMMITTEE—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the condition of Ceylon and the action of its Government,"—(*Mr. Watkin,*)—instead thereof .. .. 971

After short debate, Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES—*considered* in Committee .. 983

(In the Committee.)

(1.) Motion made, and Question proposed, "That a sum, not exceeding £59,920, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1869, for the British Embassy Houses, Chapel, Consular Offices, &c. at Constantinople, China, and Japan."

Whereupon Motion made, and Question proposed, "That the Item of £6,000, for the Embassy House at Therapia, be omitted from the proposed Vote,"—(*Mr. Monk.*)

After short debate, Question put:—The Committee *divided;* Ayes 20, Noes 37; Majority 17:—Original Question again proposed.

After short debate, Motion made, and Question proposed, "That the item of £15,000, for Consular Buildings in Japan, be omitted from the proposed Vote,"—(*Mr. Lusk.*)

After further short debate, Question put, and *negatived:*—Original Question put, and *agreed to.*

(2.) £8,000, to complete the sum for the Metropolitan Fire Brigade.

(3.) Motion made, and Question proposed, "That a sum, not exceeding £8,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, for the purchase of Ground and for the Erection of a House for Her Majesty's Mission at Teheran" .. .. 997

After short debate, Question put:—The Committee *divided;* Ayes 70, Noes 25; Majority 45:—Vote *agreed to.*

(4.) £103,675, to complete the sum for certain Harbours of Refuge, &c. — After short debate, Vote *agreed to* .. .. .. .. 1000

(5.) £37,310, to complete the sum for certain Lighthouses Abroad, &c.—After short debate, Vote *agreed to* .. .. .. .. 1003

(6.) Motion made, and Question proposed, "That a sum, not exceeding £51,238, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, for the Maintenance and Repair of the Royal Palaces" .. .. 1004

After short debate, Motion made, and Question proposed, "That the Item of £5,636, for Palaces, &c. partly in the occupation of Her Majesty, be omitted from the proposed Vote,"—(*Mr. Fawcett:*)—After further short debate, the Committee *divided;* Ayes 8, Noes 82; Majority 74 .. .. .. .. 1008

Original Question again proposed.

Motion made, and Question proposed, "That the Item of £7,313, for Hampton Court Palace, Stables, and Outbuildings, with Orangery and Vinery, be reduced by the sum of £5,000,"—(*Mr. Labouchere:*)—After short debate, Question put, and *negatived.*

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Ayrton,*)—put, and *negatived:*—Original Question put, and *agreed to.*

Resolutions to be reported *To-morrow;* Committee to sit again upon *Wednesday.*

**Boundary Bill** [Bill 78]—

*Moved*, "That the Bill be now read a second time,"—(*Mr. Gathorne Hardy*) 1014

After short debate, *Moved*, "That this House do now adjourn,"—(*Mr. Serjeant Gaselee*:)—Motion, by leave, *withdrawn*:—Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Thursday*, 30th April.

## COMMONS, TUESDAY, APRIL 21.

**Married Women's Property Bill**—

Motion for Leave (*Mr. Shaw-Lefevre*) .. .. .. 1015

Bill to amend the Law with respect to the Property of Married Women, *ordered* (*Mr. Shaw-Lefevre, Mr. Russell Gurney, Mr. Stuart Mill*); *presented*, and read the first time [Bill 89.]

Proceedings in Committee of Supply—Resolution—

Resolution [9th February 1858] relative to Proceedings in Committee of Supply read, as followeth:—

"That when it has been proposed to omit or reduce items in a Vote, the Question shall be afterwards put upon the original Vote or upon the reduced Vote, as the case may be, without amendment" .. .. .. .. 1025

*Moved*, "That the said Resolution be rescinded,"—(*Mr. Ayrton*)

After short debate, *Moved*, "That the Debate be adjourned till *Tuesday* next,"—(*Mr. Disraeli*:)—Motion *agreed to*:—Debate *adjourned* till *Tuesday* next.

**Capital Punishment within Prisons Bill** [Bill 36]—

Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair" .. .. .. .. .. 1033

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is expedient, instead of carrying out the punishment of death within prisons, that Capital Punishment should be abolished,"—(*Mr. Gilpin*,)—instead thereof.

After debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided*; Ayes 127, Noes 23; Majority 104.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*:—Bill *considered* in Committee .. .. .. 1055

After short time spent therein, Bill *reported*; as amended, to be considered upon *Thursday*.

**Artizans' and Labourers' Dwellings Bill** [Bill 1]—

Order for Committee read .. .. .. .. 1063

Bill *considered* in Committee.

After short time spent therein, Bill *reported*; as amended, to be considered upon *Tuesday* next, and to be *printed*. [Bill 88.]

**Broughty Ferry Provisional Order Confirmation Bill**—*Ordered* (*The Lord Advocate, Mr. Secretary Gathorne Hardy, Sir James Fergusson*) .. .. 1067

## COMMONS, WEDNESDAY, APRIL 22.

**Burials (Ireland) Bill** [Bill 5]—

*Moved*, "That the Bill be now read a second time,"—(*Mr. Monsell*) .. 1067

After short debate, Amendment proposed, to leave out the word "now," and at the end of the question to add the words "upon this day six months,"—(*Colonel William Stuart.*)

Question put, "That the word 'now' stand part of the Question:"—The House *divided*; Ayes 74, Noes 51; Majority 23:—Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *To-morrow*.

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**Sunday Trading Bill** [Bill 40]—

*Moved*, "That the Bill be now read a second time,"—(*Mr. Thomas Hughes*) 1084

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Graham.*)

After short debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 68, Noes 31; Majority 37:—Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *To-morrow.*

**Canongate Annuity Tax Bill** [Bill 60]—

*Moved*, "That the Bill be now read a second time,"—(*Mr. M'Laren*) .. 1087

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*The Lord Advocate.*)

After debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 59, Noes 86; Majority 27.

Division List, Ayes and Noes .. .. .. 1107

Main Question, as amended, put, and *agreed to*:—Bill *put off* for six months.

LORDS, THURSDAY, APRIL 23.

Assassination of Mr. D'Arcy M'Gee—Question, The Earl of Carnarvon; Answer, The Duke of Buckingham .. .. .. 1108

**Compulsory Church Rates Abolition Bill** (No. 55)—

*Moved*, "That the Bill be now read 2ª,"—(*Earl Russell*) .. .. 1108

After debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

COMMONS, THURSDAY, APRIL 23.

Middlesex Registry Office—Question, Mr. Childers; Answer, Mr. G. Hardy 1146

Spain and Prussia—Question, Mr. Akroyd; Answer, Lord Stanley .. 1147

China—Treaty of Tien-tsin—Question, Colonel Sykes; Answer, Lord Stanley 1147

India—Hyderabad—Question, Mr. Stacpoole; Answer, Sir Stafford Northcote 1148

Abyssinian Expedition—Question, Mr. Fawcett; Answer, Sir S. Northcote 1148

Parliament—The Conference Room—Question, Colonel French; Answer, Lord John Manners .. .. .. .. 1148

Turkey—Condition of Crete—Question, Mr. Layard; Answer, Lord Stanley 1149

Importation of Foreign Cattle—Observations, Lord Robert Montagu; Reply, Mr. Horsfall .. .. .. .. 1149

WAYS AND MEANS—The Financial Statement—

Ways and Means *considered* in Committee.

Financial Statement of *The Chancellor of the Exchequer* on moving the First Resolution.

That, towards raising the Supply granted to Her Majesty, the Duty of Customs now charged on Tea shall continue to be levied and charged on and after the 1st day of August 1868 until the 1st day of August 1869, on the importation thereof into Great Britain and Ireland: viz.—Tea . . . . . the lb. 0*s.* 6*d.* 1149

After long debate, Resolution *agreed to.*

Resolution to be reported *To-morrow;* Committee to sit again *To-morrow.*

**Ecclesiastical Commissioners Orders in Council Bill** (*Lords*) [Bill 69]—

Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. Gathorne Hardy*) .. .. .. 1194

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Bentinck,*)—instead thereof.

*Ecclesiastical Commissioners Orders in Council Bill* (*Lords*) [Bill 69]—*continued.*

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

After short time spent therein, Bill *reported*, without Amendment; to be read the third time *To-morrow.*

**Government of India Act Amendment Bill**—

Motion for Leave (*Sir Stafford Northcote*) .. .. .. 1201

Bill to amend in certain respects the Act for the better Government of India, *ordered* (*Sir Stafford Northcote, Sir James Fergusson*); *presented*, and read the first time [Bill 91.]

Bank Holidays Bill—Select Committee *nominated*:—List of the Committee 1216

**Governor General of India Bill**—*Ordered* (*Sir Stafford Northcote, Sir James Fergusson*); *presented*, and read the first time [Bill 92] .. .. .. 1216

**Petroleum Act Amendment Bill**—*Ordered* (*Sir James Fergusson, Mr. Secretary Gathorne Hardy*); *presented*, and read the first time [Bill 93] .. .. 1216

## LORDS, FRIDAY, APRIL 24.

Compulsory Church Rates Abolition Bill—Statement (*Earl Russell*) .. 1217

**Bankruptcy Acts Repeal Bill** (No. 74)—

Order of the Day for the House to be put into Committee read .. 1217

After short debate, Bill *considered* in Committee.

Bill *reported*, without Amendment; Amendments made; Bill *re-committed* to a Committee of the Whole House on *Monday* the 4*th of May* next; and to be *printed* as amended.

**Bankruptcy Bill** [H.L] (No. 75)—

House in Committee (according to Order); Bill *reported*, without Amendment; Amendments made; Bill *re-committed* to a Committee of the Whole House on *Monday* the 4*th of May* next; and to be *printed* as amended.

**Judgment Debtors Bill** [H.L.] (No. 76)—

House in Committee (according to Order); Bill *reported*, without Amendment; Amendments made; Bill *re-committed* to a Committee of the Whole House on *Monday* the 4*th of May* next; and to be *printed* as amended.

Riots in Lancashire—Question, The Earl of Lichfield; Answer, The Earl of Malmesbury .. .. .. .. 1221

Public Petitions—Select Committee on:—List of the Committee .. 1221

## COMMONS, FRIDAY, APRIL 24.

Post Office — West India Mails — Question, Mr. Graves; Answer, Mr. Sclater-Booth .. .. .. .. 1222

India—Bank of Bombay—Questions, Lord William Hay; Answers, Sir Stafford Northcote .. .. .. .. .. 1223

Strike of Colliers in the Wigan District—Question, Major Anson; Answer, Sir James Fergusson .. .. .. .. 1224

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Insurrection in Crete—Motion for an Address—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that She will be

INSURRECTION IN CRETE—MOTION FOR AN ADDRESS—*continued.*

graciously pleased to give directions that there be laid before this House, Copy of any Despatches or Correspondence between the Russian Government and the Foreign Office on the subjects of the Insurrection in Crete and of the condition of the Christians in Turkey in the years 1866 and 1867,"—(*Mr. Monk*,)—instead thereof 1225

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Amendment, by leave, *withdrawn.*

CASE OF SIR T. J. METCALFE—MOTION FOR A SELECT COMMITTEE—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the case of Sir Theophilus John Metcalfe, C.B., as set forth in his Petition of the 24th day of February, and printed in the Appendix to the Fifth Report on Public Petitions on the 7th day of March 1868," —(*Major Anson*,)—instead thereof .. .. .. 1268

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

PERMANENT EXPENSES OF COMMISSIONS—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the expenses of the Copyhold, Inclosure, and Tithe Commission, Inclosure and Drainage Acts, and Charity Commission, ought not to be borne by the public,"—(*Mr. Goldney*,)—instead thereof .. .. 1280

After debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 104, Noes 105; Majority 1:—Question put, "That those words be there added:"—The House *divided;* Ayes 106, Noes 105; Majority 1:—Words *added:*—Main Question, as amended, put, and *agreed to.*

*Resolved*, That, in the opinion of this House, the expenses of the Copyhold, Inclosure, and Tithe Commission, Inclosure and Drainage Acts, and Charity Commission, ought not to be borne by the public.

SUPPLY—*Resolved*, That this House will immediately resolve itself into the Committee of Supply.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

GENERAL POST OFFICE—CASE OF A. J. DUFFY—MOTION FOR A SELECT COMMITTEE—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the circumstances connected with the removal of Anthony J. Duffy from his appointment of permanent clerk in the Circulation department of the General Post Office,"—(*Sir Patrick O'Brien*,)—instead thereof 1296

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

INDIA—MADRAS IRRIGATION COMPANY—Observations, Mr. Stansfeld .. 1298

Motion, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn:*—Committee *deferred* till *Monday* next.

## LORDS, MONDAY, APRIL 27.

ESTABLISHED CHURCH (IRELAND)—THE RESOLUTIONS—Notice (*The Earl of Derby*) 1303

PRIVATE BILLS—On the Motion of the CHAIRMAN of COMMITTEES—

*Ordered*, That no Private Bill brought from the House of Commons shall be read a Second Time after *Friday* the 12*th Day of June* next: [and other Orders] .. .. 1303

HIS ROYAL HIGHNESS THE DUKE OF EDINBURGH—Motion for an Address (*The Earl of Malmesbury*) .. .. .. .. 1304

After short debate, *Resolved* and *Ordered*, *Nemine Dissentiente*,

"That an humble Address be presented to Her Majesty, to convey to Her Majesty the Expression of the Sorrow and Indignation with which this House has learned the atrocious

HIS ROYAL HIGHNESS THE DUKE OF EDINBURGH—MOTION FOR AN ADDRESS—*continued.*

Attempt to assassinate His Royal Highness the Duke of Edinburgh while on a Visit to Her Majesty's loyal Australian Colonies, and of their heartfelt Congratulations to Her Majesty on his Preservation from mortal Injury; and to assure Her Majesty of the Sympathy of this House in Her Majesty's present Anxiety, and of their earnest Hope for the speedy Recovery of His Royal Highness."

The said Address to be presented to Her Majesty by the Lords with White Staves.

**Education Bill** (No. 53)—

*Moved,* "That the Bill be now read 2ª,"—(*The Lord President*) .. 1305

Amendment *moved* to leave out ("now") and insert ("this *Day Three Months,*") —(*The Earl of Airlie:*)—After debate, Amendment (by Leave of the House) *withdrawn:*—Then the original Motion *agreed to*; Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* the 7th of *May* next.

## COMMONS, MONDAY, APRIL 27.

THAMES EMBANKMENT — STEAMBOAT PIERS — Question, Mr. Watkin; Answer, Mr. Tite .. .. .. .. .. 1332

CONSECRATION AND ORDINATION FEES — Question, Mr. Monk; Answer, Mr. Sclater-Booth .. .. .. .. 1332

ARMY—OFFICERS HOLDING CIVIL APPOINTMENTS — Question, Mr. White; Answer, Sir John Pakington .. .. .. .. 1333

CARRIAGE OF PARCELS BY RAILWAY—Question, Mr. W. E. Forster; Answer, Mr. Stephen Cave .. .. .. .. 1333

HIS ROYAL HIGHNESS THE DUKE OF EDINBURGH—Motion for an Address (*Mr. Disraeli*) .. .. .. .. 1334

After short debate, *Resolved, Nemine Contradicente,*

"That an humble Address be presented to Her Majesty, to convey to Her Majesty the expression of the sorrow and indignation with which this House has learned the atrocious attempt to assassinate His Royal Highness the Duke of Edinburgh, while on a visit to Her Majesty's loyal Australian Colonies, and of their heartfelt congratulations to Her Majesty on His preservation from mortal injury; and to assure Her Majesty of the sympathy of this House in Her Majesty's present anxiety, and of their earnest hope for the speedy recovery of His Royal Highness."

To be presented by Privy Councillors.

ABYSSINIAN EXPEDITION—Question, Mr. Layard; Answer, Mr. Disraeli .. 1337

ESTABLISHED CHURCH (IRELAND)—

Acts *considered* in Committee .. .. .. .. 1338

(1.) Question again proposed,

"That it is necessary that the Established Church of Ireland should cease to exist as an Establishment, due regard being had to all personal interests and to all individual rights of property,"—(*Mr. Gladstone.*)

Amendment proposed,

To leave out from the first word "That" to the end of the Question, in order to add the words "so long as the Union between Great Britain and Ireland continues to exist, it is just and consistent that the principle of the Established Church should be maintained in Ireland, and its endowment on a scale suitable to the wants of the population,"—(*Sir Frederick Heygate,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the proposed Resolution."

After long debate, Committee report Progress; to sit again *To-morrow.*

**Military at Elections (Ireland) Bill**—*Ordered* (*Mr. Serjeant Barry, Major Gavin, Mr. Esmonde*); *presented,* and read the first time [Bill 95] .. .. 1424

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**Cotton Statistics Bill**—*Ordered* (*Mr. Bazley, Mr. Milner Gibson, Mr. Horsfall, Mr. Watkin, Mr. Cheetham*); *presented*, and read the first time [Bill 96] .. 1424

**Documentary Evidence Bill**—*Ordered* (*Sir James Fergusson, Mr. Secretary Gathorne Hardy*); *presented*, and read the first time [Bill 97] .. .. 1425

## LORDS, TUESDAY, APRIL 28.

REGULATION OF RAILWAYS BILL — THE PARCELS CLAUSE — Question, Viscount Halifax; Answer, The Duke of Richmond .. .. 1425

ESTABLISHED CHURCH (IRELAND) — THE RESOLUTIONS — Question, The Earl of Derby; Answer, The Earl Russell .. .. .. 1425

## COMMONS, TUESDAY, APRIL 28.

BURIALS (IRELAND) BILL—MR. MONSELL AND THE DEAN OF CORK—Explanation, Mr. Monsell .. .. .. .. .. 1454

GRIEVANCES OF CUSTOMS OFFICERS—Question, Mr. Graves; Answer, Mr. Sclater-Booth .. .. .. .. .. 1455

ARMY—WOOLWICH ARSENAL—Question, Captain Pack-Beresford; Answer, Sir John Pakington .. .. .. .. 1455

DEVIZES GAOL—Question, Mr. Marsh; Answer, Mr. Gathorne Hardy .. 1455

ARMY—FORTIFICATIONS—Question, Mr. O'Beirne; Answer, Sir J. Pakington .. 1456

IRELAND—LOCAL GOVERNMENT—Question, Mr. Pim; Answer, The Earl of Mayo 1457

CASE OF MR. COBLE—Question, Mr. Bagnall; Answer, Mr. Sclater-Booth .. 1457

REGISTRATION OF ELECTORS—Question, Sir E. Buller; Answer, Mr. Disraeli .. 1458

INDIA—TELEGRAPHIC COMMUNICATION — Question, Mr. Dyce Nicol; Answer, Mr. Corry .. .. .. .. .. 1458

IRELAND—THE LAND QUESTION — Question, Mr. Pim; Answer, The Earl of Mayo .. .. .. .. .. 1459

IRELAND — MURDER OF MR. FEATHERSTONHAUGH — Question, Mr. Eykyn; Answer, The Earl of Mayo .. .. .. .. 1459

INDIA—CIVILIAN JUDGES (BOMBAY)—Question, Sir Robert Collier; Answer, Sir Stafford Northcote .. .. .. .. 1460

ARMY — THE 86TH REGIMENT AT THE MAURITIUS — Question, Mr. Whalley; Answer, Sir John Pakington .. .. .. 1460

TURNPIKE TOLLS—Question, Mr. More; Answer, Mr. Gathorne Hardy .. 1461

ESTABLISHED CHURCH (IRELAND)—Question, Mr. Verner; Answer, Mr. Disraeli 1462

IRELAND—REPORT OF THE IRISH RAILWAY COMMISSION—Question, Mr. Monsell; Answer, The Earl of Mayo .. .. .. .. 1463

COLLIERY ACCIDENTS—Observations, Mr. Greene .. .. 1464

PROCEEDINGS IN COMMITTEE OF SUPPLY—RESOLUTION—

Order read, for resuming Adjourned Debate on Question [21st April],

"That the Resolution of the House of the 9th day of February 1858, relative to Proceedings in Committee of Supply,—'That when it has been proposed to omit or reduce items in a Vote, the Question shall be afterwards put upon the original Vote or upon the reduced Vote, as the case may be, without amendment,'—be rescinded,"—(*Mr. Ayrton*) 1464

Question again proposed, "That the said Resolution be rescinded."

After short debate, Question put, and *agreed to*.

1. *Resolved*, That when it has been proposed to omit or reduce items in a Vote, the Question shall be afterwards put upon the original Vote or upon the reduced Vote, as the case may be.
2. *Resolved*, That after a Question has been proposed from the Chair for a reduction of the whole Vote, no Motion shall be made for omitting or reducing any item, —(*Mr. Chancellor of the Exchequer.*)

ESTABLISHED CHURCH (IRELAND)—

Acts *considered* in Committee .. .. .. .. 1466

(1.) Question again proposed,

"That it is necessary that the Established Church of Ireland should cease to exist as an Establishment, due regard being had to all personal interests and to all individual rights of property,"—(*Mr. Gladstone* :)

Amendment proposed,

To leave out from the first word "That" to the end of the Question, in order to add the words "so long as the Union between Great Britain and Ireland continues to exist, it is just and consistent that the principle of the Established Church should be maintained in Ireland, and its endowment on a scale suitable to the wants of the population,"—(*Sir Frederick Heygate*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the proposed Resolution."

After long debate, Committee report Progress; to sit again upon *Thursday*.

## COMMONS, WEDNESDAY, APRIL 29.

**Church Rates Commutation Bill** [Bill 10]—

*Moved*, "That the Bill be now read a second time,"—(*Mr. Newdegate*) .. 1535

After short debate, Motion, by leave, *withdrawn* :—Bill to be read a second time *To-morrow*.

**Railway and Joint-Stock Companies Accounts Bill** [Bill 53]—

*Moved*, "That the Bill be now read a second time,"—(*Sir William Hutt*) .. 1535

After short debate, Motion *agreed to* :—Bill read a second time, and *committed* for *Wednesday* next.

**County Financial Boards (No. 2) Bill** [Bill 52]—

*Moved*, "That the Bill be now read a second time,"—(*Mr. Wyld*) .. 1542

After debate, Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the present mode of conducting the Financial Arrangements of the Counties in England and Wales, and whether any alteration ought to be made either in the persons by whom or the manner in which such arrangements are now conducted,"—(*The Judge Advocate*,)—instead thereof .. 1558

After further short debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided*; Ayes 46, Noes 154; Majority 108:—Words *added* :—Main Question, as amended, put, and *agreed to*.

*Ordered*, That a Select Committee be appointed to inquire into the present mode of conducting the Financial Arrangements of the Counties in England and Wales, and whether any alteration ought to be made either in the persons by whom or the manner in which such arrangements are now conducted,—(*The Judge Advocate*.)

**Peerage (Ireland) Bill** [Bill 83]—

*Moved*, "That the Bill be now read a second time,"—(*Sir Colman O'Loghlen*) 1559

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Colonel French* :) —Question proposed, "That the word 'now' stand part of the Question."

After short debate, Amendment and Motion, by leave, *withdrawn* :—Bill *withdrawn*.

**Artizans' and Labourers' Dwellings Bill** [Bill 88]—

Bill, as amended, *considered* .. .. .. .. 1564

After short debate, Debate *adjourned* till *Wednesday* next.

**Municipal Rate (Edinburgh) Bill**—*Ordered* (*Mr. M'Laren, Mr. Dunlop, Mr. Baxter*); *presented*, and read the first time [Bill 98] .. .. .. 1569

**Ejectments Suspension (Ireland) Bill** — *Ordered* (*Mr. Kennedy, Mr. Serjeant Armstrong*); *presented*, and read the first time [Bill 100] .. .. 1570

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**Compulsory Church Rates Abolition Bill** (No. 55)—

*Moved,* "That the House do now resolve itself into a Committee on the said Bill,"—(*Earl Russell*) .. .. .. .. 1570

After short debate, Motion (by Leave of the House) *withdrawn :* and Bill *referred* to a Select Committee.

And, on May 1, Committee *nominated :*—List of the Committee .. 1574

## COMMONS, THURSDAY, APRIL 30.

PASSENGER ACTS—Question, Mr. Graves; Answer, Mr. Adderley .. 1574

COAL FOR THE NAVY—Question, Mr. Headlam; Answer, Lord Henry Lennox 1575

VICTORIA—CASE OF THE CONVICT MILLAR—Question, Mr. Hurst; Answer, Mr. Adderley .. .. .. .. .. 1576

INDIA—FURLOUGHS—Question, Mr. Gregory; Answer, Sir Stafford Northcote 1576

OBSTRUCTIONS IN THE RIVER THAMES—Questions, Mr. Hardcastle, Lord Otho Fitzgerald; Answers, Mr. Stephen Cave .. .. .. 1577

SLAVE TRADE, ZANZIBAR—Question, Sir T. F. Buxton; Answer, Lord Stanley 1578

CATTLE PLAGUE—Question, Mr. Read; Answer, Lord Robert Montagu .. 1578

THE CONVICT BARRETT—Question, Mr. Rearden; Answer, Mr. Gathorne Hardy 1579

ARMY—PROMOTIONS IN THE COLDSTREAM GUARDS—Question, Sir Patrick O'Brien; Answer, Sir John Pakington .. .. .. 1579

THE ROYAL ACADEMY—Question, Mr. Layard; Answer, Lord John Manners 1580

IRELAND—PRESBYTERY OF ANTRIM—Questions, Sir Charles Lanyon, Sir Thomas Bateson; Answers, Mr. Gladstone .. .. .. 1581

ROMAN CATHOLIC OATH—

*Moved,* "That the Oath taken by Roman Catholic Members previous to the alteration of the Oath on the 30th of April, 1866, be read by the Clerk at the Table,"—(*Mr. Freville-Surtees*) .. .. .. 1582

After short debate, Question put, and *negatived.*

ESTABLISHED CHURCH (IRELAND)—

Acts *considered* in Committee .. .. .. 1583

(1.) Question again proposed,

"That it is necessary that the Established Church of Ireland should cease to exist as an Establishment, due regard being had to all personal interests and to all individual rights of property,"—(*Mr. Gladstone:*)

Amendment again proposed,

To leave out from the first word "That" to the end of the Question, in order to add the words "so long as the Union between Great Britain and Ireland continues to exist, it is just and consistent that the principle of the Established Church should be maintained in Ireland, and its endowment on a scale suitable to the wants of the population,"—(*Sir Frederick Heygate,*)—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the proposed Resolution:"—After long debate, Amendment, by leave, *withdrawn :*—Main Question put:—The Committee *divided;* Ayes 330, Noes 265; Majority 65.

Division List, Ayes and Noes .. .. .. 1675

Committee report Progress; to sit again upon *Monday* next.

PARLIAMENT—BUSINESS OF THE HOUSE—

*Moved,* "That the House, at rising, adjourn till *Monday* next,"—(*Mr. Disraeli*) 1679

After short debate, Motion *agreed to :*— House, at rising, to adjourn till *Monday* next.

Sea Fisheries (Ireland) Bill—*Ordered* (*Mr. Blake, Colonel Annesley, Lord Claud John Hamilton, Mr. Kavanagh*); *presented,* and read the first time [Bill 101] .. 1681

Vagrant Act Amendment Bill—*Ordered* (*Mr. Pease, Mr. Akroyd, Mr. Liddell*); *presented,* and read the first time [Bill 102] .. .. .. 1681

## LORDS, FRIDAY, MAY 1.

Business of the House—Victoria—The Appropriation Act—Postponement of Motion—Observations, The Earl of Malmesbury:—Short debate thereon .. .. .. .. .. 1682

His Royal Highness The Duke of Edinburgh—The Queen's Answer to the Address [27th April] *reported* .. .. .. 1682

The Public Offices—New India and Foreign Offices—Question, Lord Redesdale; Answer, The Earl of Malmesbury:—Short debate thereon 1683

**Friendly Societies Bill** (No. 43)—
Order of the Day for the Second Reading read .. .. 1685
After short debate, Second Reading *put off* to *Tuesday* next.

Public Petitions—
Ordered, That the Name of the Lord presenting a Petition shall be written thereon .. .. .. .. .. 1685

## LORDS, MONDAY, MAY 4.

Ministerial Statement—Defeat of the Government on the Irish Church Resolutions—Observations, The Earl of Malmesbury:—Short debate thereon 1686

## COMMONS, MONDAY, MAY 4.

Taxation of Charitable Institutions—Question, Mr. Hadfield; Answer, Mr. Disraeli .. .. .. .. .. 1693

Navy—Retired Officers—Question, Captain Mackinnon; Answer, Mr. Corry 1693

County Financial Arrangements—Question, Sir William Gallwey; Answer, Mr. Gathorne Hardy .. .. .. .. 1694

His Royal Highness The Duke of Edinburgh—Her Majesty's Answer to the Address [27th April] *reported* .. .. .. 1694

Ministerial Statement—Defeat of the Government on the Irish Church Resolutions—Observations, Mr. Disraeli:—Debate thereon .. 1694
*Moved,* "That this House do now adjourn,"—(*Mr. Conolly*:)—After long debate, Motion, by leave, *withdrawn.*

WAYS AND MEANS—*considered* in Committee .. .. 1746

(1.) *Moved*, That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for one year, commencing on the 6th day of April 1868, for and in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act passed in the 16th and 17th years of Her Majesty's reign, chapter 34, for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, the following Rates and Duties (that is to say):
For every Twenty shillings of the annual value or amount of all such Property, Profits, and Gains (except those chargeable under Schedule (B) of the said Act), the Rate or Duty of Six pence.
And for and in respect of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act, for every Twenty shillings of the annual value thereof,
In England, the Rate or Duty of Three pence, and
In Scotland and Ireland respectively, the Rate or Duty of Two pence farthing.
Subject to the provisions contained in Section 3 of the Act 26th Victoria, chapter 22, for the exemption of persons whose whole Income from every source is under £100 a-year, and relief of those whose Income is under £200 a-year.

After long debate, Resolution *agreed to*

(2.) Motion made, and Question proposed,

"That, towards making good the Supply granted to Her Majesty, the Commissioners of Her Majesty's Treasury be authorized to raise any sum of money, not exceeding One Million pounds sterling, by an issue of Exchequer Bonds" .. .. 1773

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WAYS AND MEANS—Committee—*continued.*

Amendment proposed,

To leave out all the words after the words "authorized to," in order to insert the words "suspend so much of the payment of the Terminable Annuities created in 1866 till the year 1885 as may amount to the difference of the annual payment made on their account, and of the interest of the £24,000,000 Stock for which they were exchanged, that is to say, a sum of £1,005,000,"—(*Mr. Darby Griffith,*)—instead thereof .. .. 1774

Question proposed, "That the words proposed to be left out stand part of the proposed Resolution:"—After short debate, Amendment, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(3.) *Resolved,* That the principal of all Exchequer Bonds which may be so issued shall be paid off at par at any period not exceeding twelve months from the date of such Bonds.

(4.) *Resolved,* That the interest of such Exchequer Bonds shall be payable half-yearly, and shall be charged upon and issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof.

Resolutions to be reported *To-morrow;* Committee to sit again upon *Wednesday.*

**Poor Law (Ireland) Amendment Bill**—*Ordered* (*Mr. Serjeant Barry, Major Gavin*); *presented,* and read the first time [Bill 103] .. .. .. 1775

LORDS, TUESDAY, MAY 5.

The Right Honourable Sir JOHN TROLLOPE, Baronet, having been created Baron Kesteven of Casewick in the County of Lincoln,

Sir BROOK WILLIAM BRIDGES, Baronet, having been created Baron Fitzwalter of Woodham Walter in the County of Essex—Were severally introduced.

**Friendly Societies Bill** (No. 43)—

*Moved,* "That the Bill be now read 2ª,"—(*The Earl of Lichfield*) .. 1775

After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* the 19*th instant.*

ENDOWED GRAMMAR SCHOOLS—Question, Lord Taunton; Answer, The Duke of Marlborough .. .. .. .. 1782

**Marriage Law (Ireland) Amendment Bill**—*Presented* (*The Marquess of Clanricarde*); read 1ª. (No. 89) .. .. .. .. 1783

COMMONS, TUESDAY, MAY 5.

IRELAND—CATTLE PLAGUE—Question, Mr. Gregory; Answer, The Earl of Mayo 1784

IRELAND—DEATHS FROM SMALL-POX—Question, Mr. Gregory; Answer, The Earl of Mayo .. .. .. .. .. 1784

IRELAND—HABEAS CORPUS ACT—Question, Mr. Bagwell; Answer, The Earl of Mayo .. .. .. .. .. 1784

REPRESENTATION OF THE PEOPLE ACT (1867)—COMPOUND HOUSEHOLDERS—Question, Mr. Schreiber; Answer, Mr. Disraeli .. .. 1785

SCHOOL AND TRAINING SHIPS—Question, Mr. Whalley; Answer, Lord Henry Lennox .. .. .. .. .. 1785

DEBATES IN THE HOUSE OF LORDS—Question, Mr. Darby Griffith; Answer, Mr. Speaker .. .. .. .. 1786

BOUNDARY BILL—Question, Mr. Hibbert; Answer, Mr. Gathorne Hardy .. 1786

ARMY—RESERVE FORCES—Question, The Marquess of Hartington; Answer, Sir John Pakington .. .. .. .. 1787

MINISTERIAL STATEMENT—DEFEAT OF THE GOVERNMENT ON THE IRISH CHURCH RESOLUTIONS—Question, Mr. Gladstone; Answer, Mr. Disraeli .. 1787

*Moved,* "That this House do now adjourn,"—(*Mr. Gladstone.*)

After debate, Motion, by leave, *withdrawn.*

ARMY—MILITARY EDUCATION—RESOLUTION—

*Moved*, "That an humble Address be presented to Her Majesty, praying that a Royal Commission composed of Military and Civilian Members be appointed to inquire into the present state of Military Education in this Country, and more especially into the training of Candidates for Commissions in the Army, and into the constitution, system of Education, and discipline of the Royal Military Academy at Woolwich, and of the Royal Military College at Sandhurst, as well as into the rules and regulations under which Candidates are admitted into those Colleges,"—(*Lord Eustace Cecil*) .. .. 1819

After short debate, Motion *agreed to.*

EAST INDIA CIVIL SERVICE—RESOLUTION—

*Moved*, "That this House, whilst cordially approving of the system of open competition for appointments in the East India Civil Service, is of opinion that the people of India have not a fair chance of competing for these appointments as long as the examinations are held nowhere but in London; this House would therefore deem it desirable that, simultaneously with the examination in London, the same examination should be held in Calcutta, Bombay and Madras,"—(*Mr. Fawcett*) .. .. .. 1838

Amendment proposed,

To leave out from the words "open competition" to the end of the Question, in order to add the words "as regards the appointment of untried young men to the East India Civil Service, is of opinion that natives of India who have proved in the Uncovenanted Service or otherwise their superior fitness for situations at present held exclusively by Members in the Covenanted Service should be appointed to them without undergoing a competing examination,"—(*Mr. Trevelyan,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment and Motion, by leave, *withdrawn.*

**Municipal Corporations (Metropolis) Bill**—

Motion for Leave (*Mr. J. Stuart Mill*) .. .. .. 1859

After short debate, Motion *agreed to*:—Bill to provide for the establishment of Municipal Corporations within the Metropolis, *ordered* (*Mr. Mill, Mr. Thomas Hughes, Mr. Tomline, Mr. Buxton, Mr. Layard.*)

**Corporation of London Bill**—*Ordered* (*Mr. Mill, Mr. Thomas Hughes, Mr. Tomline, Mr. Buxton, Mr. Layard*) .. .. .. .. 1864

**Stockbrokers (Ireland) Bill**—*Ordered* (*Mr. Pim, Sir Benjamin Guinness*) .. 1864

## COMMONS, WEDNESDAY, MAY 6.

**Mines Assessment Bill** [Bill 11]—

*Moved*, "That the Bill be now read a second time,"—(*Mr. Percy Wyndham*) 1864

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Wednesday*, 20th May.

**Divorce and Matrimonial Causes Court Bill** [Bill 50]—

*Moved*, "That the Bill be now read a second time,"—(*Mr. C. Forster*) .. 1873

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *To-morrow.*

**Cotton Statistics Bill** [Bill 96]—

*Moved* "That the Bill be now read a second time,"—(*Mr. Bazley*) .. 1874

Motion *agreed to*:—Bill read a second time, and *committed* for Wednesday next.

**Artizans' and Labourers' Dwellings Bill** [Bill 88]—

Order read, for resuming Adjourned Debate on Question [29th April], "That the Clause (Act not to apply to cases in which freeholder has successfully instituted proceedings and carries out necessary repairs,)—(*Sir Francis Goldsmid,*)—which was offered to be added on Consideration of the Bill, as amended, be now read a second time."

Question again proposed:—Debate *resumed* .. .. .. 1875

After short debate, Motion and Clause, by leave, *withdrawn.*

Bill to be read the third time upon *Friday.*

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## LORDS, THURSDAY, MAY 7.

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**Capital Punishment within Prisons Bill** (No. 83)—

*Moved,* "That the Bill be now read 2ª,"—(*The Duke of Richmond*) .. 1879

After short debate, Motion *agreed to:*—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

Railways—Accident upon the Brecon and Neath Railway—Question, The Marquess of Clanricarde; Answer, The Duke of Richmond .. 1879

## COMMONS, THURSDAY, MAY 7.

Scotland—Trawling for Herrings—Question, Mr. Lamont; Answer, The Lord Advocate .. .. .. .. 1882

Queensland—Polynesian Labourers—Question, Mr. P. A. Taylor; Answer, Mr. Adderley .. .. .. .. 1882

Metropolis—Park Lane—Question, Mr. Locke; Answer, Lord John Manners 1882

Army—Fever at the Mauritius—Question, Colonel North; Answer, Sir John Pakington .. .. .. .. 1883

Army—Promotion in the Coldstream Guards—Question, Sir Patrick O'Brien; Answer, Sir John Pakington .. .. .. 1883

The Established Church of Scotland—Question, Sir Robert Peel; Answer, The Lord Advocate .. .. .. .. 1884

Representation of the People (Scotland) Bill—Questions, Mr. Moncreiff, Mr. Bouverie; Answers, Mr. Disraeli .. .. .. 1885

Established Church (Ireland)—The Meeting at St. James's Hall—Question, Mr. Verner .. .. .. .. 1886

Established Church (Ireland)—

*Considered* in Committee .. .. .. .. 1886

(2.) *Moved,* That, subject to the foregoing considerations, it is expedient to prevent the creation of new personal interests by the exercise of any public patronage, and to confine the operations of the Ecclesiastical Commissioners of Ireland to objects of immediate necessity, or such as involve individual rights, pending the final decision of Parliament,—(*Mr. Gladstone.*)

After short debate, Question put, and *agreed to.*

(3.) *Moved,* That an humble Address be presented to Her Majesty, humbly to pray that, with a view to preventing, by legislation during the present Session, the creation of new personal interests through the exercise of any public patronage, Her Majesty would be graciously pleased to place at the disposal of Parliament, Her interest in the temporalities of the Archbishoprics, Bishoprics, and other Ecclesiastical Dignities and Benefices in Ireland, and in the custody thereof,—(*Mr. Gladstone*) .. .. 1898

After short debate, Question put, and *agreed to.*

*Moved,* "That when the Anglican Church in Ireland is disestablished and disendowed, it is right and necessary that the Grant to Maynooth and the Regium Donum be discontinued; and that no part of the secularized funds of the Anglican Church, or any State funds whatever, be applied in any way, or under any form, to the endowment or furtherance of the Roman Catholic religion in Ireland, or to the establishment or maintenance of Roman Catholic denominational schools or colleges,—(*Mr. Sinclair Aytoun*) .. 1902

After debate, Amendment proposed,

To leave out from the first word "That" to the end of the Question, in order to add the words "when legislative effect shall have been given to the First Resolution of this Committee respecting the Established Church of Ireland, it is right and necessary that the Grant to Maynooth and the Regium Donum be discontinued,"—(*Mr. Whitbread*)—instead thereof .. .. .. .. .. 1923

After short debate, Question put, "That the words proposed to be left out stand part of the proposed Resolution:"—The Committee *divided;* Ayes 85, Noes 198; Majority 113.

ESTABLISHED CHURCH (IRELAND)—*continued.*

Question proposed,

"That the words 'when legislative effect shall have been given to the First Resolution of this Committee respecting the Established Church of Ireland, it is right and necessary that the Grant to Maynooth and the Regium Donum be discontinued' be added,"—instead thereof .. .. .. .. .. 1925

Amendment proposed to the said proposed Amendment, by adding the words "due regard being add to all personal interests,"—(*Mr. Gladstone*) .. 1926

After short debate, Question, "That those words be there added," put, and *agreed to.*

Amendment proposed to the said proposed Amendment, as amended, by adding the words—

"And that no part of the Endowments of the Anglican Church be applied to the endowment of the institutions of other religious communions,"—(*Mr. Greene*) .. 1931

Question proposed, "That those words be added to the said proposed Amendment, as amended."

After short debate, *Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Whalley* :)—Motion, by leave, *withdrawn.*

Question put, "That those words be added to the said proposed Amendment, as amended :"—The Committee *divided;* Ayes 97, Noes 132; Majority 35.

Question,

"That the words 'when legislative effect shall have been given to the First Resolution of this Committee respecting the Established Church of Ireland, it is right and necessary that the Grant to Maynooth and the Regium Donum be discontinued, due regard being had to all personal interests,' be added to the word 'That' in the original Question,"

—put, and *agreed to.*

*Moved,* "That the Chairman report the Resolutions to the House,"—(*Mr. Gladstone*) .. .. .. .. .. 1941

After short debate, Resolutions *reported* and *agreed to.*

ESTABLISHED CHURCH (IRELAND)—

*Resolved,* "That an humble Address be presented to Her Majesty, humbly to pray that, with a view to preventing, by legislation during the present Session, the creation of new personal interests through the exercise of any public patronage, Her Majesty would be graciously pleased to place at the disposal of Parliament, Her interest in the temporalities of the Archbishoprics, Bishoprics, and other Ecclesiastical Dignities and Benefices in Ireland, and in the custody thereof,"—(*Mr. Gladstone*) .. .. .. 1949

To be presented by Privy Councillors.

**Parliamentary Reform—Representation of the People (Ireland) Bill** [Bill 71]—

*Moved,* "That the Bill be now read a second time,"—(*The Earl of Mayo*) .. 1949

After debate, Question put, and *agreed to* :—Bill read a second time, and *committed* for *Thursday* next.

## LORDS, FRIDAY, MAY 8.

VICTORIA—THE APPROPRIATION ACT—Observations, Lord Lyveden; Reply, The Duke of Buckingham :—Long debate thereon .. .. 1963

## COMMONS, FRIDAY, MAY 8.

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SCOTLAND — EDUCATION — Question, Admiral Erskine; Answer, The Lord Advocate .. .. .. .. .. 2001

ARMY—BALL CARTRIDGE—Question, Mr. Hayter; Answer Sir J. Pakington 2002

UNITED STATES—THE "SPRINGBOK"—Question, Mr. Bentinck; Answer, Lord Stanley .. .. .. .. .. 2002

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To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it would be advantageous and convenient to substitute a system of weekly in lieu of daily payments to those non-commissioned Officers and Soldiers of the Army whose previous conduct might warrant the extension of this indulgence,"—(*Mr. Percy Wyndham,*)—instead thereof .. .. 2003

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

REPRESENTATION OF THE PEOPLE (SCOTLAND) BILL—Question, Mr. Gladstone; Answer, Mr. Disraeli .. .. .. .. 2004

INFECTIOUS DISEASES—MOTION FOR AN ADDRESS—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to cause such inquiry to be instituted into the spread of disease by infection (distinguished from contagion) as may tend to check legislation and action in cases unsupported by the evidence, which in times of excitement saves a people from the commission of great crimes or great follies,"—(*Sir Jervoise Clarke Jervoise,*)—instead thereof .. .. .. .. .. 2005

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Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

ARMY—FORTIFICATIONS—DOCKYARDS AND NAVAL ARSENALS—RESOLUTION—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "two Members of this House and another Civil Engineer should be added to the Committee appointed to consider the question of the Fortifications for the defence of the United Kingdom and of the Colonies, and that arrangements shall be made to stop, as far as possible, all further outlay until that Committee shall have reported to this House,"—(*Mr. O'Beirne,*)—instead thereof .. .. 2021

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Amendment, by leave, *withdrawn.*

Another Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, no further outlay on the Fortifications for the defence of the United Kingdom and of the Colonies, except such as may be absolutely necessary under existing Contracts, or to complete works which cannot be suspended without serious inconvenience, ought to be incurred until the Report of the Committee recently appointed shall have been laid before this House,"—(*Mr. Childers,*)—instead thereof .. .. .. .. .. 2049

Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 93, Noes 48; Majority 45.

Question again proposed, "That Mr. Speaker do now leave the Chair."

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*Moved*, "That the Bill be now read the third time,"—(*Mr. M'Cullagh Torrens*) 2060

Amendment proposed,

To leave out from the words "Bill be" to the end of the Question, in order to add the words "re-committed, for the purpose of amending the Schedule,"—(*Mr. Ayrton*,) —instead thereof.

After short debate, Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to*:—Main Question put, and *agreed to*:—Bill read the third time, and *passed*.

WAYS AND MEANS—*considered* in Committee .. .. .. 2062

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Weights and Measures (Scotland) Bill — *Ordered* (*Mr. Craufurd, Sir Edward Colebrooke*); *presented*, and read the first time [Bill 109] .. .. 2062

Jurors' Affirmations (Scotland) Bill—*Ordered* (*Mr. Craufurd, Mr. Dunlop*); *presented*, and read the first time [Bill 110] .. .. .. .. 2062

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# LORDS.

## SAT FIRST.

THURSDAY, APRIL 2.

The Lord Carrington, after the Death of his Father.

THURSDAY, MAY 7.

The Marquess of Salisbury, after the Death of his Father.

FRIDAY, MAY 8.

The Earl of Ellesmere, after the Death of his Father.

## NEW PEERS.

TUESDAY, MAY 5.

THE RIGHT HONOURABLE SIR JOHN TROLLOPE, Baronet, having been created Baron Kesteven of Casewick in the County of Lincoln—Was (in the usual Manner) introduced.

SIR BROOK WILLIAM BRIDGES, Baronet, having been created Baron Fitzwalter of Woodham Walter in the County of Essex—Was (in the usual Manner) introduced.

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# COMMONS.

## NEW WRITS ISSUED.

FRIDAY, APRIL 3.

For *Launceston*, *v.* Alexander Henry Campbell, Esq., Manor of Northstead.

For *Chipping Wycombe*, *v.* Hon. Charles Robert Carington, *now* Lord Carington.

MONDAY, APRIL 20.

For *Cockermouth*, *v.* John Steel, Esq., deceased.

For *The Parts of Kesteven and Holland, in the County of Lincoln*, *v.* Sir John Trollope, Baronet, called up to the House of Peers.

For *Kent* (Eastern Division), *v.* Sir Brook William Bridges, Baronet, called up to the House of Peers.

For *Radnorshire*, *v.* Sir John Benn Walsh, Baronet, called up to the House of Peers.

For *Leominster*, *v.* Hon. Arthur Walsh, Manor of Northstead.

TUESDAY, APRIL 21.

For *Grantham*, *v.* William Earle Welby, Esq., Chiltern Hundreds.

Wednesday, April 22.

For *Bristol, v.* Sir Samuel Morton Peto, Baronet, Manor of Northstead.

For *Stirling District of Burghs, v.* Lawrence Oliphant, Esq., Chiltern Hundreds.

Wednesday, April 29.

For *Stamford, v.* Viscount Cranborne, *now* Marquess of Salisbury.

## NEW MEMBERS SWORN.

Monday, March 23.

*Huddersfield*—Edward Aldam Leatham, Esq.

Friday, March 27.

*Coventry*—Samuel Carter, Esq.

Monday, April 20.

*Chipping Wycombe*—Hon. William Henry Peregrine Carington.

*Launceston*—Henry Charles Lopes, Esq.

Tuesday, April 28.

*Cockermouth*—Andrew Green Thompson, Esq.

*Leominster*—Viscount Mahon.

Thursday, April 30.

*Parts of Kesteven and Holland, in the County of Lincoln*—William Earle Welby, Esq.

*Grantham*—Edmund Turnor, Esq.

*Radnorshire*—Hon. Arthur Walsh.

*Bristol*—John William Miles, Esq.

Monday, May 4.

*Stirling District of Burghs*—John Ramsay, Esq.

*Stamford*—Viscount Ingestre.

*Kent* (Eastern Division)—Edward Leigh Pemberton the younger, Esq.

# HANSARD'S

# PARLIAMENTARY DEBATES,

IN THE

*THIRD SESSION* OF THE *NINETEENTH PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*
APPOINTED TO MEET 1 FEBRUARY, 1866, AND THENCE
CONTINUED TILL 19 NOVEMBER, 1867, IN THE THIRTY-
FIRST YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

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SECOND VOLUME OF THE SESSION.

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## HOUSE OF LORDS,

*Monday, March* 23, 1868.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Bankruptcy Acts Repeal (30); Bankruptcy* (31); Judgment Debtors* (32); Non-Traders Bankruptcy (Ireland)* (38).

*Select Committee—Report*—Promissory Oaths* (10-51).

*Report*—Promissory Oaths* (51-52).

### BANKRUPTCY ACTS REPEAL BILL.

(*The Lord Chancellor.*)

(NO. 30.) SECOND READING.

Order of the Day for the Second Reading read.

THE LORD CHANCELLOR, in moving that the Bankruptcy Acts Repeal Bill, the Bankruptcy Bill, and the Judgment Debtors Bill be now read the second time, said: My Lords, in asking your Lordships to give a second reading to these Bills, I will now venture to submit the observations which can be more conveniently made at the present stage than they could have been at the first introduction of these measures. If I found it necessary to go into a history of the legislation on bankruptcy in this country at any length, I fear that the task would be not only most wearisome to your Lordships, but highly unprofitable in itself. I think it sufficient, in the first place, to remind your Lordships that the last Consolidation Act which was passed in this country on the subject of bankruptcy was in the year 1849. From that year to the year 1859 the law as to bankruptcy, with very little alteration, stood on that footing. In the year 1859 my noble and learned Friend (Lord Campbell), who was then Lord Chancellor, introduced into your Lordships' House a Bill on the subject of Bankruptcy which was called the Debtor and Creditor Bill. That measure contained in it four important and novel elements in Bankruptcy Law. It proposed, in the first place, the abolition altogether of imprisonment for debt. In the next place, it put an end to the distinction for the purposes of bankruptcy which had up to that time existed between traders and non-traders. In the third place, it introduced a system which had obtained great favour in Scotland, under which creditors in a bankruptcy were left in a great measure to choose a trustee for themselves, who was to conduct the affairs arising out of the bankruptcy. And, in the fourth place, it introduced a system of composition or arrangement deeds. That proposition was based on the Report of the Royal Commission of 1854. This Bill, with these objects, received the most careful consideration at your Lordships' hands. It passed through a Select Committee, where it received suggestions and Amendments. It was afterwards amended on the Report, and it was on the point of being sent down to the other House of Parliament when the dissolution of Parliament took place. In the new Parliament my noble and learned Friend, who now sits on my left (Lord Westbury), who was then Attorney General, introduced into the other House, and succeeded in 1861 in passing through the Act, which afterwards became law, and which I will refer to as the Bankruptcy Act of 1861. That Act of Parliament contained these three conspicuous features. It abolished, as the Bill I have before referred to proposed to do, the distinction between trader and non-trader. With regard to imprisonment for debt, it did not entirely put an end to that, but it provided that any person imprisoned for debt might, in a summary and rapid way, apply for his discharge in bankruptcy ; and if he did not think fit so to apply of his own will, it provided what I may term a gaol delivery at very frequent intervals for liberating prisoners, and under which the Registrars in Bankruptcy attended the various prisons for debt, and liberated those confined whether they liked it or not. In the third place, the Act introduced a system of composition deeds, under which a debtor by arrangement with his creditors, and by the consent of a majority in number and three-fourths in value, might bind the minority of his creditors to a composition, or any other arrangement which the majority might agree to with regard to the estate. These were the main features of the Act of 1861. It is not surprising that, with changes of such breadth and importance introduced into the Bankruptcy Law, it was found in working that various details of difficulty and complication arose, which led to some embarrassment and dissatisfaction as the results of the measure. The difficulties that had arisen found expression in a Motion in the other House of Parliament for a Select Committee to consider the working of the Bankruptcy Law as it then stood. Committees of the House of Commons sat during 1864 and 1865 on this subject. In 1864 they were unable to make their Report, and they contented themselves with reporting the evidence taken before them to the House; but in 1865 the Report of the Committee was presented. I will ask your Lordships' permission to mention the names of those who composed that Committee, because I venture to think that a more important representation of the mercantile element could not be obtained. The names were—Mr. Moffatt, Sir Roundell Palmer (then Attorney General), Mr. Roebuck, Mr. Miller, Mr. Ayrton, Mr. Murray, Mr. Malins (now Vice Chancellor), Mr. Goschen, Mr. Crum-Ewing, Mr. Gathorne Hardy, Mr. Dunlop, Mr. Lowe, Mr. Moncreiff, Mr. Weguelin, Mr. Vance, Mr. Hodgson, and Mr. Cave. In 1865 the Committee reported their opinion to the House as to the changes necessary to be made in the Law of Bankruptcy in the shape of thirty-one Resolutions; and I think, with one or two exceptions, the whole of the recommendations of that Committee have been incorporated in the Bill which I now ask your Lordships to read a second time.

Coming now to these Bills, I have to state in the first place that the three measures now before your Lordships will, of themselves, if they become law, form a complete and entire code of bankruptcy for the country. They are consolidation Bills. They repeal every measure of bankruptcy passed up to the present time, and if they receive the assent of Parliament, any one who holds these three Acts in his hands will be in possession of the whole Bankruptcy Law of the country. In consolidation measures of this kind a number of provisions are necessarily re-enactments. But they are re-enactments in this sense. The Bill contains between 500 and 600 clauses. About a quarter of that number are new clauses, the others are re-enactments. I am, however, in a position to say, with regard to nearly every one of these re-enactments, that the clauses have been re-considered, and in many instances re-drawn, in order to simplify, and, if possible, to abbreviate and make more plain the enactments on the subject.

My Lords, I think the most convenient course I can now take in order to make the matter more intelligible will be as briefly as possible to go through the various heads of alteration of the law which these Bills propose. In the first place, I will ask your Lordships to consider the mode in which these Bills deal with the important subject of imprisonment for debt. The present state of the law is this—that no person can be imprisoned for debt before judgment in an action has been obtained, unless it be proved that he is about to leave the country, and become what is called an absconding debtor. In that case only can an arrest take place before judgment, and then only for the purpose of obtaining payment or security from the person who is about to leave the country. After judgment has been obtained under the present law the ordinary process can be issued by the creditor, and the debtor can be taken in execution and put in prison as a debtor. When there he can apply to be made a bankrupt, and if he does not think fit to do so he would be in a short time discharged under the Act of 1861, to which I have referred. The proposal which the present Bills make, as distinguished from the present law, is this—we propose to abolish imprisonment for debt altogether; that is to say, we propose to abolish altogether the power which the creditor has of his own will to issue a process after judgment under which a debtor may be confined. Your Lordships will not expect me at this time to enter into any argument in defence of the proposition to abolish imprisonment for debt. Your Lordships have passed the Bill of 1859, which contained an enactment to that effect. The total abolition of imprisonment for debt has further been recommended by a Committee of the other House, and measures have on two occasions passed the second reading in the other House for the abolition of imprisonment for debt. But your Lordships will naturally ask—Supposing that imprisonment for debt be abolished, what means can we substitute in lieu of imprisonment for dealing with persons against whom judgment has been obtained? We have introduced provisions under this head which have always been recommended to go along with the abolition of imprisonment for debt—that is to say, we provide that, if after judgment the debtor against whom judgment is obtained is shown to be about to leave the country without paying or securing the debt, he may be arrested as an absconding debtor, and, independently of that process, there is a power given of examining him in the most stringent way under what is termed a judgment debtor summons as to any property he may possess, and of requiring the discovery of any documents which would elucidate his position, so that, if possible, payment may be obtained by the realization of such property. In case he is unable or unwilling to give security for, or make payment of the debt, resort may be had to the Court of Bankruptcy for adjudication against him in the same manner as at present. Imprisonment for debt, as a process to which the creditor may resort of his own accord, will thus be at an end; but there will remain imprisonment under an attachment for non-payment of money, by a Court of Equity or by order of a Common Law Court. There will remain imprisonment such as I have described in the event of a debtor being about to leave the country and refusing to pay or give security, and there will remain, finally, imprisonment either by County Courts or by Inferior Courts, which are analagous to them.

This brings me to another part of the subject to which I will ask your Lordships' particular attention—the mode in which imprisonment for debt is at present dealt with by the County Courts. At present, in the County Courts, if judgment has been obtained for a debt, the debtor may be called before the County Court Judge and examined as to his means of payment, and if the Judge be of opinion that he has means of paying the debt, either at once or by instalments, he may make an order accordingly; after which the debtor, if he does not pay, may be imprisoned by the Judge for any period not exceeding forty days. Now, it has always appeared to me that a very strong and anomalous power is thus given to these Courts. The arguments which are commonly adduced in support of it are these:—In the first place, it is said that we have to deal with men who live by their labour, and that since there occasionally come times of want of employment or of illness, such men, unless they can get credit during these intervals, will suffer very considerably, and that they cannot get credit unless their creditors are aware that they have the power of imprisoning them in the event of not paying. In the next place, it is alleged that if credit is given, and if the person of the debtor cannot be arrested by the County Court, the creditor will immediately seize the furniture or the other contents of the debtor's house, and that it would be a greater loss to the family of a working man that his home should be thus broken up than that he should undergo temporary imprisonment. It is also said that this process, as shown by its results, operates very effectively *in terrorem*, for that whereas a great number of warrants of arrest are issued there are comparatively few instances in which the warrants are actually executed. I may refer to statistics upon this point which appear to me to possess considerable interest. Taking the eight years from 1859 to 1866, both inclusive, there were, in round numbers, 108,000 judgment summonses issued in the County Courts. Of that number 54,000 were actually heard; but only 26,000 resulted in warrants of commitment, and of these only 7,800 were actually carried out by the consigning of the debtors to prison. Thus out of the 108,000 judgment summonses issued, only 7,800, or about 7 per cent, led to imprisonment. It further appears that a few years ago the County Court Judges were consulted as to whether this power should be retained, and I am bound to say that, with very few exceptions, their opinion was that this power was of the greatest importance, some of them even saying that were it given up the system of recovering debts in the County Courts could not possibly be continued. These are the arguments for the maintenance of this power of imprisonment. But it has always appeared to me that by this power you continue a very invidious distinction between the case of the small debtor and that of the large one. The large debtor is absolved from the irksomeness of imprisonment, while the labouring man is still liable to it. It is very singular, too, that while the hypothesis is that you are dealing with a man who has nothing but his labour wherewith to discharge the debt, you put him, in order to make him pay, in a place where it is impossible for him to exercise his power of labour. Moreover, it has always appeared to me that by holding out this liability to imprisonment, we probably engender or continue a system of credit in itself vicious and undesirable. I remember very well hearing a right hon. Friend of mine (Mr. Henley) giving in very graphic terms the results of his own observation in the rural districts. He described how the travellers of small traders go to a farmhouse or the cottage of a labouring man, and, the head of the family being away at work, a lot of finery or other goods are shown to the wife and daughters, who are easily tempted to become purchasers, and to pledge the credit of the head of the family. This practice, Mr. Henley remarked, and I believe with great truth, these travellers would not dream of pursuing if they were not perfectly sure they could afterwards take out a summons and, if the man still refused to pay, could imprison him in order to compel payment. Individually, I should be very glad to see a way of putting an end to this power of imprisonment for debt by the County Courts and Inferior Courts altogether; but I am afraid it would be difficult to do so at once. I have, however, proposed by these Bills a course which I think will considerably diminish the practice and before long will lead to its extinction. I propose in the first place, in one of these Bills, that no committal shall take place in any Inferior Court except by the Judge himself and in open Court—for I find there is too much reason to suppose that a great number of these committals are at present made by the Registrars or at Chambers. I also propose that every Court invested with this power shall make an annual Return to Parliament of the names of persons committed by it for debt, so that Parliament may be kept acquainted with the extent to which the power is enforced, and that if any suspicion of abuse arises its attention may be drawn to the subject. I further propose an alternative which I think is in itself much more sensible, and much more likely to be beneficial than the present system. It is that a power should be given to the Judge of arresting the future wages or earnings of a debtor against whom judgment has been obtained, to the extent of 25 per cent; that is to say, a power of serving an order on the debtor's employer, under which one-fourth of his wages will be paid into Court as they become due for the benefit of the person who may have obtained judgment. The machinery by which this will be carried out will, I trust, be found simple and effectual, and I hope that as in consequence it would be comparatively useless to resort to imprisonment to compel payment, it will cause that practice to fall into desuetude.

The next point to which I wish to call your Lordships' attention is one of great importance—I refer to the existing power of a debtor becoming bankrupt on his own petition. Under the present law any person, whether in prison or not, may present a petition to the Bankruptcy Court, stating that he cannot meet his engagements, and thereupon he becomes bankrupt on his own petition and obtains the protection of the Court. The Returns of the Court of Bankruptcy laid upon the table a few days ago show that the total number of bankruptcies last year was 8,994, or, in round numbers, 9,000. Now, of these persons no less than 6,533 were made bankrupts on their own petition. On the petition of the creditors there were only 805—that is, 6,533 on the petition of the debtor himself as compared with 805 on the petition of the creditor. My noble and learned Friend (Lord Westbury) has very properly reminded me that I should state the number of petitions *in formâ pauperis*, which amount to 480 and should be added to the number I have already given. There is a striking piece of information contained in this Return upon another subject. How many bankruptcies do your Lordships suppose there were in that year in which no dividend was paid? No less than 5,876; and, my Lords, I believe it will be found by those who look minutely into the matter that it is principally in those bankruptcies which take place on the petition of the debtor himself that there are no dividends. Now, some propose that a stop should be put altogether to the practice of permitting a debtor making himself bankrupt on his own petition. I doubt whether that would be a very desirable course. In the first place, one may easily conceive a case in which it is quite proper that a debtor should make himself bankrupt, and should do so without any intention of acting otherwise than would be beneficial to his creditors. But there is a still more important reason against taking away that power. If you take away the power in name, nothing in the world is easier for one who wants to make himself a bankrupt than to get a friendly creditor to present a petition to have him declared bankrupt, and so the same thing would be done in another form. I think the present measure will treat this evil in a more satisfactory way. In the first place, the abolition of imprisonment for debt will take away one of the principal motives which at present induce a debtor to petition to be made bankrupt. In the second place, the course which this Bill proposes of leaving the after-acquired property of the debtor to a great extent subject to the payment of his debts will take away another powerful motive which at present operates in the same direction—that is to say, the inducement which there is at present to the debtor to become a bankrupt in order that he may secure his future property from his creditors. And more than that, the present measure will provide a remedy by substituting another process which I will describe. Any one who wishes to make himself a bankrupt must file a declaration of insolvency, which will be published. Thereupon his property will be secured against execution and against loss. For twenty-one days it will not be competent for the debtor to take any steps towards making himself a bankrupt. For these twenty-one days his creditors will know that he professes himself a bankrupt, and it will be for them to consider whether they will put themselves in motion to prevent him from petitioning. If after twenty-one days no creditor proceeds to make him a bankrupt, then, and only then, he may become so on his own petition.

The next important alteration which this Bill proposes is to introduce to a great extent what I may term the Scotch system of trusts in bankruptcy—a system which has worked very well in Scotland, and which the mercantile community in England are anxious to try. The main characteristic of this system is that, in place of having a bankruptcy conducted with forensic proceedings through the Court of Bankruptcy, the creditors, on the first meeting after the bankruptcy, may determine for themselves the course to be pursued in winding up the affairs of the debtor. They may, if they please, have a trustee to represent them and wind up the estate. They may choose that trustee where and as they please—he may be a creditor, or he may not—and I anticipate that, as has been the case in Scotland, it will be found that many persons will be anxious to show how speedily and economically they can, as trustees, wind up the estate, and thus seek employment in a legitimate and useful way. Over this trustee the creditors will appoint one or two inspectors out of their own number, who will control the trustee, and keep the general body of creditors apprised of what is being done. And, besides, the Accountant in Bankruptcy, who at present does nothing more than keep the accounts of the Bankruptcy Court, will perform the functions of a general auditor of bankruptcies, and will be supervisor of the trustees. In Scotland, the fashion has been not to have even an official assignee, as we have in this country. After the most mature consideration, we have thought the best course to take is this:—The present official assignees will be continued as provisional trustees if a necessity should arise that any person should be put in possession of the property before the creditors would have an opportunity of appointing a trustee of their own. The official assignee will act as this provisional trustee, and he will step in and take possession if ordered by the Court, but not otherwise; and as soon as the creditors choose their own trustee the functions of the provisional trustee will be put an end to. Further than this, we have introduced a provision which will, I venture to think, expedite the distribution among the creditors of the estate in trust. We provide that the creditors' trustee shall not in any case be paid any remuneration until the accounts have been audited and the remuneration allowed in the audited accounts—so that there will be no retaining any sum for remuneration until the accounts have been regularly audited and passed.

I now come to what is next in order and importance—I mean the discharge of the bankrupt. My Lords, the principles upon which bankrupts in this country have been discharged have varied very materially from time to time. I will not trouble your Lordships with a history of the alterations made at different periods. The present system is this:—The discharge of the bankrupt may be altogether refused, or it may be suspended for a limited period, or it may be granted; but when it is granted it frees him from any claim upon subsequently acquired property—that is to say, it leaves the property afterwards acquired free from liability for his own debts, unless he has committed some of the offences pointed out by the present Bankruptcy Law. If he has, a condition may be attached to his discharge, making his future property liable by way of punishment for his offence. I venture to think that in any law as to the discharge of a bankrupt there are mainly three things which ought to be kept in view. In the first place, I submit that no arbitrary power whatever should be left in the Court of indefinitely postponing or refusing the discharge of the bankrupt who has surrendered his property. In the second place, if the bankrupt has committed any offence against the Bankruptcy Law—and every offence that can be committed ought to be clearly ascertained and defined—in that case you will rightly and properly suspend his discharge for a limited period by way of punishment, and you may also proceed to inflict punishment upon him in other ways if his offence amounts to a misdemeanour. And, further, I think that whatever rule is to apply to the future property of the bankrupt ought to be clearly defined, and to apply in all cases alike. I ought to state that the Committee of the House of Commons to which I have referred made this proposal—that, for the future, no bankrupt should be allowed his discharge unless his estate paid 6*s*. 8*d*. in the pound, or one-third. If his estate should not pay 6*s*. 8*d*. in the pound, they recommend that his discharge should be suspended for six years, and that he should receive it at the end of that time. My Lords, upon this point there is, as has been represented to me, a great diversity of opinion among the mercantile community. I had the pleasure of receiving a deputation from the Associated Chambers of Commerce, and they stated that different views were taken upon this question, and I think several of them said that "a hard and fast line" might operate very unjustly. For example, it would be very hard that a bankrupt whose estate paid 6*s*. 6*d*. in the pound should have to wait six years before getting his discharge because he could not pay the remaining 2*d*. You have these difficulties to deal with whenever you draw an arbitrary line; and, besides, they say that the amount of dividend is by no means a competent test as to the conduct of the bankrupt and his right to a discharge. We, on the contrary, propose that there should be no suspension under any circumstances of the discharge of the bankrupt for more than three years, but that for certain specified offences there should be a right to suspend the discharge for three years, or any portion of that time. We propose, further, that there should be a power to suspend the discharge for one year upon any ground the

Court may think sufficient to justify such a measure over and above the grounds mentioned in the catalogue of offences. Beyond that, we propose that the after-acquired property of the bankrupt should be subject to the payment of his debts in this way. If it should appear at a subsequent period that the bankrupt has acquired property, after deducting what may be proper for the maintenance of himself and his family, and providing for debts subsequently contracted — for, of course, they must be provided for — any surplus remaining may be made liable by an order of the Court for the payment of former creditors. Now that the proposition is to abolish imprisonment for debt, there is no longer any reason why a bankrupt should do what, unfortunately, too many of them have done — that is to say, acquire large property afterwards and leave the whole of his debts under the previous bankruptcy unpaid. With regard to this after-acquired property, I should add that power is given in this Bill to a specified majority of the creditors, should they think fit, to release the debtor from his liability in this respect, and he may by their consent acquire an absolute legal discharge as to all after-acquired property.

I now desire, my Lords, to say a few words with regard to the offences for which punishment may be inflicted upon the bankrupt, either by suspension of the certificate of discharge, or by proceedings in the nature of proceedings for a misdemeanour. If your Lordships will look at the list of offences which are specified at page 35 of this Bankruptcy Bill, you will readily follow the observations which I desire to make upon it. The whole description of these offences has given me great anxiety, and the specification of them has been drawn up in a somewhat novel form. With regard to the punishment of the bankrupt we get rid of a part of the existing law which has been found in practice to give some trouble—the general introduction to the catalogue of offences declaring the intent with which a thing may be done. I will give one instance, which will illustrate what I desire to say on this point. At present the law is that a bankrupt may be punished if he has contracted his debts without a reasonable expectation of being able to pay them. In practice the way that has worked is this:—Creditors come to the Court and say—"Here is a man who owes £20,000. He never in any year made above £1,000 a year. It is quite clear, therefore, that he must have contracted this amount of debt without any reasonable expectation of being able to pay." That sounds very plausible at the outset. But the moment you come to details you find that you are obliged when charging a man with misdemeanour to put your finger upon some particular debt and say, "that debt was contracted without any reasonable expectation of being able to pay it;" and experience shows that it is utterly impossible to convict any person, singling out any one debt in that way, and the affirmative being on the person objecting. Now, in order to meet that case we propose, under the sixth head of offences, that the Court may suspend the order of discharge from taking effect for any time not exceeding three years from the date of the order, if it appears to the satisfaction of the Court

> "That any Debt or Liability of the Bankrupt subsisting at the Time of Adjudication was not contracted or incurred by him with a reasonable Expectation (Proof whereof shall lie on him) of his being able to pay or discharge it."

That is to say, we put the onus upon the bankrupt to show that when his debts were contracted he had a reasonable expectation of being able to pay them. That is a mode of legislation entirely in accordance with the course taken in many cases in our criminal law, and it commends itself to our common understanding. If you find a man in a position in which a presumption arises that he has contracted debts without any reasonable expectation of paying them, and if the means of proof are in his hands to show the contrary, I submit that it is not unfair to throw the burden of that proof upon him. We take the same course with regard to offences which shall be taken to be misdemeanours; and although this inversion of the burden of proof in this way may appear a small matter in itself, I venture to think it will lead to one of the most important changes in the administration of the Bankruptcy Law of this country. Beyond this, we provide that, whereas hitherto these offences have been only triable before a Judge at assizes, there shall be a power to try these misdemeanours at Quarter Sessions and by the Recorders—Courts in which they may be easily disposed of.

Without delaying your Lordships by any complete specification of the enactments of the Bill, I may say we have endeavoured in another respect to make an alteration in the Law of Bankruptcy which will be advantageous. At present various questions may arise under bankruptcy which cannot be decided by the Bankruptcy Court itself. Thus the validity of an adjudication being in dispute may fall to be decided by higher Courts than the Court of Bankruptcy; and questions may arise which are now determined by the Courts of Common Law. I think it would be desirable to make the Bankruptcy Court on this head—to use an expression from Scotland—"self containing;" to give it the power of deciding once for all whether an adjudication is valid or invalid; and powers of that kind are included in this Bill.

I now come to one of the most important questions for consideration in connection with the Bankruptcy Law—that of deeds of composition and arrangement. Deeds of this kind have been a feature in our Bankruptcy Law certainly since the year 1849; but they received a very great expansion by the provisions of the Act of 1861. Upon this point I will not trouble your Lordships by any lengthened statistics; but there are one or two figures very interesting in themselves, and bearing materially upon the legislation now proposed. I want to show the way in which these deeds of composition and arrangement have grown since 1861. In 1862-3 there were 635 of these deeds registered; in 1863-4 there were 1,176; in 1864-5 there were 5,204; in 1865-6 there were 5,458; and in 1866-7 a Return laid on the table a few days ago shows that there were no less than 6,912. Upon these 7,000 deeds the stamp duty alone was £21,842. The gross value—and I pray your Lordships' attention to these colossal figures—the gross value of the estate and effects included in the composition deeds was £8,737,100. But what do your Lordships suppose was the amount of unsecured debt thus compounded for? No less than £29,642,628. So that nearly £30,000,000 of debt was dealt with and compounded for through the medium of these deeds of composition and arrangement. Now, these being the sort of figures with which we have to deal, and that being the amount of interest at stake, your Lordships will readily understand that the mode of dealing with deeds of this kind must be a matter of extreme importance. I will tell your Lordships the general nature of the complaints which are made—and they are loud and strong—as to these deeds, which have thus grown and multiplied. In the first place, it is a strong measure at the least to say that the minority of creditors shall be bound by the resolution of the majority to accept a sum for their debt far less than the sum really due to them. But that is not the only difficulty. By the present arrangement, what are called the secured creditors—that is, the creditors who hold security to the full amount or to a large amount of their debt—are entitled to vote, and do vote, in the majority; so that the result may be that that majority is obtained by means of the secured creditors, who bind the minority of unsecured creditors to accept less than is due to them. The next complaint is that there are no means of ascertaining that the array of creditors set out as assenting to the arrangement are really creditors at all. It is said that such things as this happens:—A man puts forward a list of alleged creditors and shows that a majority accept the composition which he tenders. But the complaint is that a number of these may be sham creditors, who have no real existence at all, and that the minority has to find out whether they are *bonâ fide* creditors or not. Further complaint is made that under the present system there is no mode by which a competent judicial determination can be obtained whether one of these deeds is a valid and binding deed, which shall regulate the rights of creditors without controversy. These are the main objections to the present system with regard to deeds. We have dealt with these objections in the present measure, and I will state the five leading features in the clauses we propose, which, if adopted, will provide a complete system of law respecting these deeds. First, we require a declaration from the Bankruptcy Court in the nature of a judicial act that the deed is a complete and perfect deed, thereby stamping it with authority and with conclusiveness, and making it a deed which, when it has received the judicial stamp and approbation, is not to be disputed elsewhere. Next, we provide that no person is entitled to rank as a creditor for the purpose of making a majority until he has proved his debt, just in the same way as a debt is proved in bankruptcy. Thirdly, we provide that secured creditors, if they wish to vote, must deduct the value of their securities. Fourthly, we provide as to deeds what I may term a chapter of misdemeanours, applicable to deeds just in the same way that similar offences are dealt with in bankruptcy. The result will be that, whereas at present the debtor thinks that by resorting to a deed containing a majority of his creditors he can escape the law for any offence of which he may have been guilty with regard to his estate, he will now find that, notwithstanding that deed, he will be liable to be punished for any of these offences, just in the same way as if he became a bankrupt. A false claim for a debt under a deed is also made punishable as a false proof under bankruptcy.

It only remains that I should state our proposals with regard to Courts of Bankruptcy. We propose no new Courts, no additions to our present Courts and Judges. On the contrary, we propose that the district Courts of Bankruptcy shall be gradually absorbed, as each Commissioner dies or retires, and that the district Courts shall be closed. There is at present concurrent jurisdiction in the County Courts, and they will become the Courts of bankruptcy for the country districts. We shall use the district Courts while they remain; in the meantime the County Courts will be gradually familiarizing themselves with the administration of bankruptcy, the whole of which they will ultimately dispose of. There are large powers of transfer from one Court to another, or from a County Court to London, if it should be deemed desirable by the creditors. The metropolitan district will be twenty miles round the Post Office, and there will be three London Commissioners, who will be primary Judges along with the Judges of the County Courts in the districts. The three London Judges will also compose an appellate tribunal from the County Courts; and any two of the Judges may hear appeals. If an appeal relates to an estate in respect of which the debts are under £300, the judgment of the London Court will be final; but in other cases there will be an appeal to the Court of Chancery. The provision for appeals will be ample, for the appellate business in the Court of Chancery has been for some years easily disposed of in one day a week.

Certain financial causes of the Bill are not supposed to be visible to your Lordships until they come back again from the other House; but we hope that arrangements will be made by which establishment expenses of the Bankruptcy Courts will be charged upon the Consolidated Fund, the Treasury taking the income from the fees which are at present applied to the payment of the Bankruptcy Courts expenses.

These are the leading features of the measures to the first of which I ask your Lordships to give a second reading; and, if they receive your approbation, I think they will effect a very important reform in the Bankruptcy Law. No point has been urged by the mercantile community which has not been attended to, and, I think, effectually met by the provisions of these Bills. I have sometimes heard it said that great desire has been manifested for a thoroughly satisfactory measure of bankruptcy reform; but I do not believe that there ever can be a thoroughly satisfactory measure, because bankruptcy itself is not a satisfactory thing. It is not satisfactory to the debtor, and it certainly is not satisfactory to the creditor, in whose mind it is generally associated with loss and disappointment, and often with fraud and imposition. Under these circumstances, it is not surprising that there always is, as there always will be, a disposition to throw upon the law something of that blame and of that discontent which arises not so much out of the law as out of the subject-matter with which the law has to deal. However, I believe that these measures will really do the best that can be done at present with the law upon the subject. I regret that, owing to circumstances beyond my control, the print of these Bills has not been longer in your Lordships' hands. I have been very anxious to ask you to hear the statement I had to make, because I think that statement will enable your Lordships to find your way, so to speak, through the great mass of paper which the Bills occupy. As to the further progress of these measures, I am desirous to consult your Lordships' convenience; but I am anxious that the measures should as soon as possible receive your Lordships' approval, and go down to the other House of Parliament. At the same time, if it be your Lordships' opinion that these Bills should pass through a Select Committee of this House, I know so well your Lordships' energy and assiduity, that I shall not be disposed to offer any opposition to that proposal. The only drawback will be that the judicial business of the House, which is considerably in arrear, may be interfered with for a few days. However, I am in your Lordships' hands, and I now ask you to give the first of these Bills a second reading.

*Moved,* "That the Bankruptcy Acts Repeal Bill be now read 2ª."—(*The Lord Chancellor.*)

LORD WESTBURY said, he would not now go into the details of these Bills; but a more important subject than the law of bankrupt debtor and creditor could hardly be taken into consideration. The past year had been heavily marked by commercial disaster, which, he was sorry to say, had largely affected the honour and integrity of the commercial community. A great part of this had arisen from bad law, for our Law of Bankruptcy was a reproach to us, as were our laws for the winding up of insolvent companies, the whole being in such a state as to excite the surprise of intelligent foreigners. We seemed to have been very deficient in discovering the principles which should guide us in legislating upon these matters, or the rules which might be founded on a wise expediency. He would ask their Lordships' attention while he pointed out some general principles upon which these measures had been founded, in order that their Lordships might determine whether they were right in themselves, and whether they were correctly and wisely applied. He concurred in the melancholy reflection that those who looked back at the history of the question might despair of satisfactory legislation upon it. Lord Eldon, sixty-seven years ago, said that the Law of Bankruptcy as administered in England was in itself accessory to as great a nuisance as any law of the land; and what had we done to alter that in sixty-seven years? A Consolidation Act passed in 1825 turned out a failure, and another in 1826, believed to be very complete, required a supplementary measure. Subsequent legislation took place, he believed, in the years 1836 and 1839; and at last, in 1849, the whole system was entirely swept away and a new one introduced. The new system, however, lived for a short time only, and it fell to his lot in 1860 to bring in a consolidation measure. That failed; and in 1861 another measure was introduced. Unfortunately it passed in an imperfect form, some of its most material provisions having been struck out or altered during its progress through Parliament, so that when it came to be put in operation, it was like a watch from which the main spring had been left out. This measure had likewise been condemned, although he might remark it had been the parent of a mode of administration which had been received with considerable favour. The measure introduced subsequently, in the year 1866, proved equally unsuccessful. That measure was followed by the Bill now under their Lordships' consideration. Now, in almost all these Bills there had been a wandering up and down, and none of the propositions had given satisfaction. Sometimes the complaint had been that the creditors had too much control, and that there was not sufficient superintending power; at another time, the complaint had been that there was too much official influence, and that the creditors ought to possess greater powers. But all through there was a consciousness of a defect existing in the law. It was thus obvious that though the existing system was generally regarded as imperfect and unsatisfactory, people were utterly at variance as to what ought to be substituted for it. He trusted, therefore, that their Lordships would agree with him that they ought to endeavour to find out the true principles, even though in so doing they might be led into paths which had been hitherto untrodden. The great object of a Bankruptcy Law should be to make an equal and just distribution of the property of the bankrupt among his creditors. The Legislature had no right or title whatever to consider the bankrupt, or to benefit him in any way which did not tend directly or indirectly to the benefit of the creditors. The business of Parliament ought to be to devise the simplest process of taking, realizing, and distributing the bankrupt's property. Of course, a tribunal must be provided for inquiring into the justice of the cases brought before it; but when this had been done, the Legislature had no further duty to discharge. Under the existing system it was impossible to arrive at the simple end in view without the employment of a number of officers, and without calling in at every turn the aid of the attorney, the consequence being that the estate was eaten up entirely by the expense of the machinery which had been introduced for the purpose of collecting and converting the bankrupt's property. He would now direct their Lordships' attention to the constitution of the tribunal which was at present intrusted with the duty of superintending and distributing the bankrupt's estate. Was there any security that that duty would be discharged efficiently and in a manner calculated to command respect for the tribunal on the part of those who resorted to it? His noble and learned Friend on the Woolsack proposed to leave the chief tribunal precisely in the condition in which he found it. There were three Commissioners, two of whom were very aged men, and had, he believed, held office above thirty years, and therefore they could hardly be supposed to be much alive to the necessity of adopting an entirely new system. He wished, of course, to speak of them with all the respect due to persons who had been long employed as servants of the community; but, at the same time, he must be permitted to say that they were by no means fitting representatives of this important branch of the law. They acted wholly independently of one another, and were not governed by any one mode of procedure. Sometimes they differed among themselves, and there was no presiding or controlling power. Above all, the besetting vice in the present constitution of the Court was that administrative and judicial duties were mixed up and blended together. At one time a Commissioner would sit as a tribunal to determine questions which might be brought before him. At another time he would proceed to hold a noisy and multitudinous meeting, and would bring into his Court a rabble, who acted without any considerations of decorum or decency. Indeed, in the evidence taken before the Committee of the House of Commons in 1864, the existing tribunal was spoken of in the most disparaging terms. It was not fair that this important branch of the law should be administered in a hole-and-corner court in Basinghall Street, in a building thronged by persons who flocked together for the purpose of being present at meetings which had no connection with the judicial business of the Court. In his opinion the law of debtor and creditor should be represented by a Judge, sitting side by side with the other Judges of the superior Courts, and whose attention should be confined entirely to judicial business. There would then necessarily be a proper distinction drawn between administrative and judicial duties, and at the same time uniformity in the administration of the law would be secured. He earnestly protested, therefore, against continuing the present mode of administering the Law of Bankruptcy. Although he was only repeating an old story, he must urge on their Lordships the necessity and propriety of providing for the administration of that part of the law of debtor and creditor in a manner correspondent with its importance and its value to the country at large. If they did so, they might effect real improvement; if they did not, they would always have, if he might so speak, the dregs and fœces only of insolvency flowing into court, and all the rest seeking other channels and other modes of arrangement. What they had to look to first of all was not so much any defect in the principle of the law as in the system of administering it with reference to the collection and distribution of the bankrupt's property. On examination of a great number of cases he found that in many of them the expenses of administration were frightful. He had received many letters from the creditors of bankrupts informing him of the amount of their claims and the extent of the bankrupts' estates, and telling him that the dividend they obtained was only a few pence, the great bulk of the estate going to the benefit of the attorneys, the accountants, the messengers, the auctioneers, and other persons. He would give one case as an illustration, the correctness of which he had ascertained. The gross proceeds of the estate were £777 19*s.* 6*d.* The solicitor's bill amounted to £366, or nearly one-half of the whole estate, the accountant's charges to £60 14*s.* 9*d.*, the official assignee's to £33, the manager's to £37 11*s.* Altogether £523 went to the various officials, and only £254 was left to be divided among the creditors. All that waste of the estate took place *secundum legem* in the process of administration, the creditors receiving only about one-third of that to which they were entitled. In another case the gross proceeds of the estate were £250. The solicitor's bill amounted to £143, the manager's bill to £45 19*s.* 10*d.*, the official assignee's to £12 17*s.*, and after various minor other charges, the balance divisible among the creditors was only £34. Before such a state of things could be effectually corrected they must establish some office by which all bankrupt estates could be collected and distributed at a total expense not exceeding 10 per cent of the gross value. Taking a number of bankrupt estates which had been administered of late years with, perhaps, exceptional economy, he found that the expenses amounted to 33½ per cent of the gross value. The remedy for such evils was to be sought by creating a species of tribunal charged with the duty of collecting bankrupt estates, or

—which would be far better, more in accordance with our practice, and equally effective—by attaching the duty of collecting such estates to the chamber of a Judge, and requiring the estates to be realized and administered under his immediate superintendence. With what facility and economy estates could be collected and administered in the chambers of a Judge his noble and learned Friend (the Master of the Rolls) could testify. He had had the pleasure of examining some of the Returns connected with the estates of deceased persons, and found that such estates could be administered in the Master of the Rolls' Chambers at less expense than that incurred by executors who did the work through a solicitor in the ordinary manner. Then, why should they not let a Judge in Bankruptcy do that duty in the same way? Why not let him follow in the footsteps of his noble and learned Friend? If the assets of a deceased person could be collected in that manner so could the estate of a bankrupt —the work in the two cases was of precisely the same character. He entreated their Lordships, therefore, to have recourse to that mode of procedure, and not any longer to allow the realization of bankrupt estates to be committed to a Commissioner who had not the same responsibility or authority as one of the eminent Judges of the land. Let there be a Judge in Bankruptcy charged with the duty of administering the law, and having under him a great court or chamber to realize and administer the property under his judicial superintendence; and thus they would get rid of the swarm of auctioneers, accountants, messengers, and other creatures who now crawled and fed upon the body of bankrupt estates. At present, no sooner had there been an adjudication of bankruptcy than some solicitor, or firm of solicitors, received a copy of a statement, probably from some inferior officer of the Court, and then a communication was immediately sent round to every creditor offering to undertake the business of the bankruptcy, and to do all that was necessary in the most expeditious and economical manner. The creditor was also requested to sign a paper annexed to that communication, and when that had been done the solicitor went before the Court, and said he had authority to act for the creditors. He accordingly chose an assignee, a creature of his own, and then the estate was wound up in the wasteful manner he had already described. He rejoiced that the time had come when the necessity of the abolition of imprisonment for debt was generally acknowledged. Seven years ago, earnest as he was on this subject, he was obliged to qualify the measure he brought in. But while their Lordships were asked to abolish imprisonment for debt under the present Bill, he trusted they would consider the condition in which the poor man now stood, of being imprisoned under the operation of the County Courts. He had before described the hardship of the situation of the humbler classes in this respect. He had given instances to prove that the poor man always had to buy his commodities at an expense of 10 or 20 per cent more than if he possessed greater means. He had asked their Lordships to strike at the present system, under which the poor were liable to be sent to prison for forty days unless they were able to pay their former debts, as well as to find the means of present subsistence out of their earnings. Under this Bill there would be bankrupts who had contracted debts to a large amount, and the Court was not, except in certain cases, to consider whether they had been contracted fraudulently or not. But, if so, how could they allow so unjust a law as this power of committal by the County Courts to remain in operation against the poor man? He trusted that their Lordships would approve the measure which he brought forward in 1864. The Government of that day were not quite prepared to accept it, although he was glad that some of its provisions had since become law. Another question was, how far they would allow recourse to be had to the Bankruptcy Law where the debtor had no assets? The Law of Bankruptcy had grown, in a great degree, out of imprisonment for debt, and had properly been described as an execution for the benefit of all the creditors. Equal distribution was the object, and if there were no property bankruptcy was useless. It was proposed by his noble and learned Friend that the bankrupt should give a certain notice of his condition before he applied to the Court, but the notice would be disregarded, for no one would attend to it. In fraudulent cases, the common course of proceeding was that when a man in trade found himself involved in debt, he generally made a bill of sale in favour of some creditor—perhaps his father or his brother — and then he went into the

Bankruptcy Court to whitewash himself. He was whitewashed; he came out a new man; and he entered into possession of the property which had been kept for him during his bankruptcy, and this course he frequently pursued four or five times over. But he (Lord Westbury) said do not let the debtor be adjudged a bankrupt unless there was something for the Bankruptcy Law to do. The object of a Bankruptcy Law was to take the estate of the debtor and to divide it equally, speedily, and economically among the creditors. Why should a debtor be permitted to go into the Bankruptcy Court, and to put the country to expense, when he had not, perhaps, a shilling to give up? He entreated his noble and learned Friend (the Lord Chancellor) to put a limit, and not put the Act in operation unless there was a certain amount of property to be divided. It was said in the House of Commons that such a provision would only act as an inducement to a debtor to get a quantity of goods into his hands upon the eve of his bankruptcy so that he might have something to surrender; but surely the law would discover and punish a fraud of that kind, and it certainly could be no reason why the general principle of not opening the doors of the Court except to those who honestly required its aid should not be carried out. Then arose the question whether the future property of the bankrupt should be liable to his creditors. A man came to the Bankruptcy Court to be relieved from the contract into which he had entered to pay his creditors in full. He was relieved accordingly; but was he to be absolutely and for ever relieved, or only relieved under certain conditions? This matter was much discussed in the other House, and the question was whether the debtor was to be discharged if he paid a certain dividend, or whether they would make his future estate liable? He begged to call his noble and learned Friend's attention to the very imperfect manner in which this clause of the Bill was worded, and the impossibility of giving effect to it. There was another difficulty in giving effect to a Bankruptcy Act. If a creditor thought he could get anything out of the debtor he employed a solicitor. By doing so, and by incurring an expense of £40, he might get a certain sum for himself, which, if divided equally among the creditors, would only increase his dividend, perhaps, about 1s. in the pound. The evil to be redressed was that there was no prosecutor, no provisions which could be put in motion by the Judge, no mode by which that could be done which justice demanded. There was a clause by which the debtor was to be summoned, and then inquiry would be made whether he was able to pay any sum towards the discharge of the debt. The cost and difficulty, and the necessity of employing a solicitor, would deter creditors from availing themselves of the process proposed in the Bill. In framing his Bill of 1861 he acted in deference to the opinion of a large meeting of Members of Parliament and delegates of Chambers of Commerce at which it was insisted that everything ought to be given to the creditors, who had a right to do what they chose with a bankrupt's estate. He endeavoured to correct the evils to which this system would have given rise by the introduction of a Chief Judge; but that proposal was rejected by their Lordships. The consequence had been that the Bill had not worked satisfactorily, and the present and any future measures would prove equally unsatisfactory unless a remedy were provided for creditors who were utterly defenceless, supine, or apprehensive of incurring cost. Were a competent tribunal erected to collect and administer the bankrupt's assets, the frauds and plunder now complained of would be prevented, and confidence in the administration of bankruptcy would be restored, for creditors would feel some assurance of receiving what an estate was capable of producing, without being subject to the present enormous deductions.

LORD CHELMSFORD said, it was a striking proof of the inherent difficulty of this subject that the measure of 1861, though framed by the noble and learned Lord who had just spoken (Lord Westbury), after having directed his acute and intelligent mind to the question, proved so unsatisfactory that within three years fresh legislation was generally called for. That demand led to an inquiry by a Committee of the other House, and a Report was presented in 1865, upon which, as had been stated by his noble and learned Friend on the Woolsack, the present Bill was founded. The noble and learned Lord opposite (Lord Westbury) had attributed the entire failure of the Act of 1861 to an alteration made by their Lordships, which he had compared to taking the mainspring out of the works of a watch. That mainspring was the appointment of a Chief Judge in Bankruptcy, grafted upon the existing system—for the Commissioners were not to be superseded. What the functions or utility of that Chief Judge were to be it was impossible for those who were conversant with the subject to understand, and his noble and learned Friend (Lord Cranworth) and himself were unable to obtain any satisfactory explanation on that head; all his noble and learned Friend (Lord Westbury) could say was that the Chief Judge was the keystone of the arch. Had it been proposed to remove the Commissioners their Lordships would, no doubt, have acquiesced in the appointment of a Chief Judge, for such a proposal would not have differed materially from the present proposition by which the three Commissioners were to be Judges of the Court. If it had been proposed to abolish the Commissioners, he (Lord Chelmsford) for his own part would have seen no objection to the appointment of a Judge; but he could not see any reason for the creation of a new Judge if the existing Commissioners were to be retained. As to the miserable dividend which had been derived in many cases, his noble and learned Friend had entirely forgotten that this had arisen under his own measure of 1861; and he made no reference to the alteration now proposed, which would reduce the expenses to a very small amount, and would leave creditors, he believed, in every case a considerable dividend. For many years he (Lord Chelmsford) had thought that the only mode of dealing with bankruptcy was to encourage in every way an arrangement between the debtor and his creditors, and that if they could not agree and the matter were brought into the Court it should be left entirely in its hands. Upon consideration, however, and ascertaining the opinion of the commercial world, he was satisfied that the plan now proposed and which was based on the Scotch system, was the only one which would prove efficient and satisfactory. His noble and learned Friend (Lord Westbury) had fallen into some misapprehensions with reference to the Bills introduced in 1866 and 1867. The former, brought in by Sir Roundell Palmer, then Attorney General, was mainly founded on the Scotch system; it did not prove a failure, for circumstances prevented its passing. In 1867 a very similar Bill was introduced, but, the Reform Bill occupying the whole attention of Parliament, it did not pass. Now, the present Bill was founded altogether on the Scotch system. It would get rid of the solicitor, the accountants, and the trade assignee, who he feared had generally been a mere tool in the hands of the solicitor and accountants: it would give creditors what the commercial world had long desired — control over the bankrupt's affairs, not only by a preliminary arrangement among themselves, but even when the matter had been brought into Court, for the Court would only decide questions of law which might arise. The creditors would appoint their trustee and inspectors, and the latter would probably be creditors themselves, while the former might or might not be so. The trustee would be checked by the inspectors, and they in turn would be checked by the accounts being audited by the Accountant in Bankruptcy. His noble and learned Friend near him (Lord Colonsay) would correct him if he was wrong in saying that this system in Scotland had worked in the most satisfactory manner; and he was told that upon an average the creditors obtained 88 per cent upon the gross assets, the expenses being no more than 12 per cent. He hoped, therefore, though his noble and learned Friend on the Woolsack did not anticipate that an entirely satisfactory Law of Bankruptcy would ever be passed, that the measure, which had adopted in some of its details the system which had proved so successful in Scotland, would be found equally successful by the commercial community of this country. The measure was so important and so complicated that its details could not be satisfactorily discussed in that House; he therefore agreed with his noble and learned Friend that it was desirable that it should be referred to a Select Committee, where it might receive the attention of noble and learned Lords who had devoted special attention to the subject, and who might put the measure in the best possible shape. Under these circumstances, he would not think himself justified in trespassing any further on their Lordships.

LORD ROMILLY regretted that their Lordships should be called upon to read the Bill a second time so soon after it had been placed in their Lordships' hands. Through the courtesy of his noble and learned Friend he got a copy of it on Wednesday last; but in the case of a Bill of 504 clauses it was impossible to satisfy himself thoroughly about it. The measure seemed to go in the right direction, but to do so timidly. He agreed in all that had been said with respect to the defects in our Bankruptcy Law ; but the great defect of all he believed to be the complicated machinery and the enormous number of officers created for the purpose of its administration. It was unquestionable that much larger dividends were received under the old system of commissions directed by the Lord Chancellor than under the system of Bankruptcy Commissioners and official assignees. The Bill ought, in his opinion, to put an end to the whole system of judicial establishments, of course giving proper compensation in the case of existing interests. In 1854 a Commission, composed of very eminent persons, was appointed to inquire into the Law of Bankruptcy; and a solicitor of great experience gave evidence to the effect that he had administered an estate in bankruptcy in which the dividends amounted to £32,000 and the expenses to £880, and another in the Court of Chancery the assets of which were £17,000 and the expenses only £55. There might be some little difference from the one being an insolvent estate and the other not ; but the great difference arose from the circumstances to which he had referred. There were two branches of every Bill on this subject—the one which dealt with the voluntary system under which creditors wound up estates for themselves, and the other with the compulsory system. If the creditors wished to wind up an estate for themselves under deed of arrangement, or under the trustee system of Scotland, it was quite proper that they should be allowed to do so. But for that purpose it was not necessary to give the powers of a judicial establishment. He could not help thinking there was too much in the shape of trustees and officials in the Bill. There were very many clauses of the Bill which would require great consideration in the Select Committee, and it would be necessary also to go through the Bill in that House after it had come from the Committee. One great cause of expense, and a great evil in itself, was the attempt to induce creditors to make personal attacks on the bankrupt for the purpose of punishing him because they had lost their money. But punishment was quite distinct from the collection of debts, and the two things should be kept entirely separate. He was not at all sanguine about the success of this measure, and he could not help thinking that his noble and learned Friend was right when he said that it would probably be found not satisfactory—it would probably add one more to the list of failures which had characterized all attempts at legislation on this subject. If the Bill should come before their Lordships from the Select Committee, he would propose several Amendments which, in his opinion, would be required for putting the measure on a better footing.

THE LORD CHANCELLOR, in reply, said, there were one or two points which had been adverted to on which he wished to avoid misunderstanding. In the first place, he wished to observe that it should not be supposed that the Bill had been prepared in any haste, for it had occupied the attention of the draftsmen for nearly two years, and had derived the advantage of the considerable amount of criticism which had been passed on the subject in the House of Commons. His noble and learned Friend near him (Lord Westbury) had referred to the manner in which the administration of the bankrupt's estate was clogged by officials, and the expense thereby engendered. With every word that had been said on that subject he agreed. These things were the scandals of the Bankruptcy Court—the question was how they were to be removed ? Before the Act of 1861, his noble and learned Friend had made much the same observations as he had done to-night, and they had been frequently made by the whole commercial community. But what were the remedies which the commercial community proposed, and had his noble and learned Friend sufficiently weighed those remedies? Why, seventy delegates, representing thirty-six Chambers of Commerce, had said that a thorough reform in the Law of Bankruptcy was needed, with a view to a speedy distribution of the estate and the suppression of fraud, that the provisions of the Scotch Law had proved eminently satisfactory in accomplishing those objects, and that in any measure for the reform of the Law of Bankruptcy those provisions should be copied as closely as possible. This is what the Bill proposed to do: all the creditors would have to do would be to bid the officials of the court "farewell," to appoint their own trustee, and make their own bargain for the collection of the estate, and over that trustee they would have their own inspectors. The expenses now so much complained of might, he thought, be reduced to the level of those in Scotland. By a very accurate Return it appeared that the total ordinary expenses were about 14$\frac{5}{8}$ per cent, and if some occasional and extraordinary expenses were added the amount would be 23$\frac{3}{4}$ per cent, which was the highest under any circumstances. The commercial community said—"We desire nothing better than to collect the debts of our debtors on those terms;" and the Bill proposed to arm creditors with those powers. But his noble and learned Friend said "that will require very little judicial machinery." So said he; and he hoped that in a short time the judicial machinery would be much less indeed than it was at present. It would therefore be very unwise, in the expectation of that result, to sweep away the existing judicial machinery for the purpose of restoring it in another form. Well, then, with regard to the suggestion of a Chief Judge in Bankruptcy, he thought that nothing could be more inconvenient than to multiply special courts for special purposes. If a first-class Judge were set up to deal with the law of debtor and creditor alone, you could not find sufficient work for him, unless you concentrated all the bankruptcy business in London. Such a Judge must be occupied, not with administrative, but judicial business. You would not set him to do the work of an accountant; he must deal with grave and solemn questions of law, which alone would not employ the time of a superior Judge. Again, nothing could be more delusive than to compare, as his noble and learned Friend (the Master of the Rolls) had compared, the expense of administering estates in Chancery and of administering insolvent estates in bankruptcy. In Chancery there was little or no controversy about debts or about the conduct of a trader; no questions arose respecting a trader's discharge; and to set up a sort of Vice Chancellor in Bankruptcy with an army of chief clerks, who would become Judges themselves in a short time, would be, instead of an improvement, a great evil. The chief evils of the existing system of bankruptcy were the evils of too much official interference and too great expense. In that sentence all the defects of the Law of Bankruptcy were comprised; and the best way was to make the creditors themselves the masters of the estate, through the intervention of a trustee appointed by themselves to administer it.

Motion *agreed to:* Bill read 2$^a$ accordingly, and *committed* to a Committee of the Whole House on the *First Sitting Day after the Recess at Easter.*

*The Lord Chancellor*

BANKRUPTCY BILL (No. 31), and JUDGMENT DEBTORS BILL (No. 32), read 2$^a$ (according to Order), and *committed* to a Committee of the Whole House on the *First Sitting Day after the Recess at Easter.*

House adjourned at a quarter before Eight o'clock, till To-morrow, half past Ten o'clock.

# HOUSE OF COMMONS,

*Monday, March* 23, 1868.

MINUTES.]—NEW MEMBER SWORN—Edward Aldam Leatham, esquire, *for* Huddersfield.

SUPPLY—*considered in Committee*—ARMY ESTIMATES.

*Resolutions* [March 20] *reported.*

WAYS AND MEANS—*considered in Committee*—Consolidated Fund (£6,000,000).

PUBLIC BILLS—*Ordered*—Perth and Brechin Provisional Orders Confirmation*; Petty Sessions and Lock-up Houses, &c.*

*First Reading*—Perth and Brechin Provisional Orders Confirmation* [74]; Petty Sessions and Lock-up Houses, &c.* [75].

*Second Reading*—Land Writs Registration (Scotland)* [56]; Indian Railway Companies* [55]; Inclosure* [73]; Marine Mutiny; Registration of Writs (Scotland) [62].

*Committee*—Oyster and Mussel Fisheries* [54].

*Report*—Oyster and Mussel Fisheries* [54].

*Third Reading*—(£362,398 19*s.* 9*d.*) Consolidated Fund.*

## THE IRISH CHURCH ESTABLISHMENT.

### NOTICE.

MR. GLADSTONE: The Motion, Sir, that I propose to make on the subject of the Irish Church will be in the form of three Resolutions to be moved in Committee on Acts relating to the Established Church in Ireland, and the terms of the three Resolutions will be these—

"*Resolved,*—

"1. That, in the opinion of this House, it is necessary that the Established Church of Ireland should cease to exist as an Establishment, due regard being had to all personal interests and to all individual rights of property."

"2. That, subject to the foregoing considerations, it is expedient to prevent the creation of new personal interests by the exercise of any public patronage, and to confine the operations of the Ecclesiastical Commissioners of Ireland to objects of immediate necessity, or involving individual rights, pending the final decision of Parliament."

"3. That an humble Address be presented to Her Majesty, humbly to pray that, with a view to the purposes aforesaid, Her Majesty would be graciously pleased to place at the disposal of Parliament, Her interest in the temporalities of the Archbishoprics, Bishoprics, and other Ecclesiastical Dignities and Benefices in Ireland, and in the custody thereof."

I give notice that I will take the liberty of asking the Government, either to-day or to-morrow, as may best suit them, Whether it would be compatible with their view of the state of Public Business to afford any assistance for the discussion of this Motion, and, possibly, the right hon. Gentleman the First Minister of the Crown will now be pleased to say what view he takes of that matter? In case it should not be in the power of the right hon. Gentleman to afford such assistance, I should then feel it my duty to endeavour to bring it on the first day on which I could regularly propose it, and I believe that would be Friday next, and I should further give notice of it as an Amendment on going into Committee of Supply.

Mr. DISRAELI: Sir, I do not know that it is quite regular that I should give the required information to the House; but I apprehend that it is for their convenience that I should do so, and, with their indulgence, I will do so at once. I require no time at all to consider the course which we ought to take; and I need not tell the House that where Notices of this character are given by one's opponents, one's natural feeling is to meet them as soon as we are permitted by the state of the Public Business and other considerations respecting the convenience of the House. I have no hesitation in saying that the state of Public Business, as is well known to the House, is not very satisfactory at present; but I will take the House into counsel. I feel that with their assistance we might be able to do all that is necessary and yet meet the wishes and convenience of the right hon. Gentleman. It is of primary importance that my right hon. Friend the Secretary of State for War should take a Vote for men to-night. If the House will grant them he will be able to bring in the Mutiny Bill, and then there would be fair time, without interfering with the Motion of the right hon. Gentleman, to carry it through; and Gentlemen who wished to enter into any discussion upon the Mutiny Bill would have a fair opportunity when it goes into Committee. I hope, therefore, that the House will give my right hon. Friend the Vote to-night; and in that case I think I shall be able to make a fair and reasonable arrangement with the right hon. Gentleman. The day that I should propose would be this day week. But on this day week the Irish Reform Bill is placed for a second reading. Now, it has been to me an object of great importance that the second reading should take place, and that the question should be advanced with a view of ensuring—with other arrangements in respect of other Bills—the dissolution of Parliament at the beginning of the next year. Any great delay with the Irish Reform Bill would be an obstacle to that result. The Government, however, have considered the subject, and though, if the Irish Reform Bill be not read a second time on Monday, it cannot be proceeded with before the holidays, still we should be able to obtain that result in this manner. I assume that the House has consented to the principle of Com missioners examining the boundaries of boroughs in Ireland. I apprehend that principle was virtually acceded to by the passing of the Bill of last year; and in that case I would follow the example of 1831 and 1832, and at once appoint a Royal Commission to examine the boundaries of the Irish boroughs. They would proceed with their labours, and by that means we should obtain such progress that the dissolution would not be interfered with. Although I propose a Royal Commission for the boundaries of the Irish boroughs, I should still not issue it without previously bringing before the House the names of the three Commissioners I propose, and without their sanction I certainly should not advise Her Majesty to insert their names. At the same time, the names will be such as I have no doubt would recommend themselves to the unanimous approval of the House. Well then, Sir, if we can only get this Vote to-night, and come to this arrangement about the Boundary Commissioners, we shall be able to give Monday to the right hon. Gentleman, without so far interfering with the progress of business as to prevent those arrangements for the dissolution which we have had in contemplation. Well then, Sir, there is only one other consideration that we must not lose sight of, and that is—that fair notice shall be given to the House on a subject which I have no hesitation in saying is one of paramount importance; a longer notice, under ordinary circumstances, should be given in order that the House should have an opportunity of considering it, and the country should be made acquainted with it. But looking at the convenience of the House, which I think ought always to be considered, I shall give Monday to the right hon. Gentleman, and, if the debate terminates on the following Friday, I shall propose then that we adjourn for the holidays; because after a struggle of that kind there would, I think, be no use entering upon the next week for business. But, of course, I reserve to myself the right of taking such a course as the state of business may render necessary; and with this explanation, which I hope will prove satisfactory, we shall be prepared to meet the Motion of the right hon. Gentleman on Monday.

Mr. GLADSTONE: As far as I am concerned, I thank the right hon. Gentleman. The arrangement that he proposes is perfectly satisfactory. I presume that if he gets the Vote for the men to-night he will go forward with the Mutiny Bill at once, so as to dispose of the Committee on the Bill during the present week.

Mr. DISRAELI: That is my present intention.

Mr. GLADSTONE: With regard to what has been said on the question of the Irish Borough Boundaries, we cannot expect that every gentleman will surrender every opinion he may entertain on that subject; but I confess it appears to me that the right hon. Gentleman is acting quite within the discretion in his province and that of the Government if he thinks fit to appoint a Commission upon the authority of the Executive, and presents it as part of his plan. I do not conceive that any practical objection can arise to the course that he proposes.

## REVISION OF RAILWAYS.—QUESTION.

Mr. BAZLEY said, he would beg to ask the right hon. Baronet the Member for Gateshead, If he will delay any further proceeding with the Bill for the revision of Railways till after Easter?

Sir WILLIAM HUTT was understood to say, that he was anxious to proceed with the Bill as rapidly as possible, but he was in the hands of the House.

## NAVY—FLOGGING ON BOARD THE "FAVOURITE."—QUESTION.

Mr. Serjeant GASELEE said, he would beg to ask the First Lord of the Admiralty, Whether it is true that a seaman on board the *Favourite* died under the operation of flogging; and, whether it was known to the surgeon of the ship that he was at the time labouring under a disease of the heart?

Mr. CORRY: Sir, in answering the Question of the hon. and learned Gentleman, perhaps the House will allow me, as it has reference to a case which has excited a very painful interest, to read some extracts from documents which the Admiralty have received on the subject. The Senior Lieutenant of Her Majesty's ship *Favourite* says in his Official Report—

> "In compliance with your memorandum of the 19th of October, regarding the circumstances with which I am acquainted of the death of George Addison, I have the honour to report that on the evening of the 18th of October, about 6.30 p.m., George Addison was reported to me drunk, and on seeing him on the quarter-deck, in the presence of the officer of the watch and the master-at-arms, I ordered him under the sentry's charge on the starboard side of the steerage abreast the mainmast. His manner was so violent and noisy that I considered it necessary that he should be gagged (which was done about 6.55 p.m.) to prevent him making a disturbance in the ship. . . . . The time that elapsed between the gag being applied and removed was, to the best of my belief, about a quarter of an hour. I then reported the case to you, and you ordered me to send the master-at-arms on shore to search for a man breaking his leave. The sergeant had charge during the absence of the master-at-arms, and visited the prisoner in the steerage several times. At about 8.30 p.m. the Assistant-Surgeon was called away from the ward room."

At nine o'clock, when the Assistant-Surgeon visited the unfortunate man, he found that life was extinct. The Surgeon of the ship reported as follows:—

> "I have the honour to inform you that the man mentioned (George Addison) was brought on board at 6.30 p.m. on the 18th of October, 1867, in a violent state of excitement from drink. As this man was observed by the sergeant of Marines to be unusually quiet the medical officer on board was called to see him at 8.30 p.m., when he found that life was extinct. From a reference to the Sick Journal I find that this man has been nine times on the sick list for periods varying from two days to sixty-two days, and that he had suffered from scrofula, and from lung and heart disease. . . . I am of opinion that this man's death resulted from disease of the heart, accelerated by the use of the alcoholic poison; and probably, also, by the use of the gag employed to quiet him."

On the circumstances being reported to Vice Admiral Sir G. R. Mundy a Court of Inquiry was ordered to be held by Captain Hamilton, of Her Majesty's ship *Sphinx*, and Captain Heysham, of Her Majesty's ship *Fawn*, who made the following Report:—

> "First, That there appears to have been nothing unusual, according to the custom of the service, in giving the order to gag the late George

> Addison; second, that the medical evidence points directly at the impropriety of the form of the gag which was used, in which we fully concur, believing also that the gag was too tightly drawn. Third, That there is no reason to attribute intentional cruelty or want of consideration to George Addison on the part of William Dawtry, the master-at-arms, who applied the gag. Fourth, That no precautionary measures appear to have been neglected as regards the visitation of the prisoner by the police. Fifth, That there is no evidence to show that anyone on board suspected that the prisoner was dead until the sergeant sent for the Assistant Surgeon. Sixth, That the medical officers appointed to assist us in this investigation concur in these opinions."

Dr. Kaye, the coroner for the island, who attended the inquiry on board the *Favourite*, by express invitation, expressed himself satisfied that the evidence adduced, and especially that given by the two medical officers, proved that the man having died while under restraint was a perfectly accidental, although untoward, event. Under these circumstances, Vice Admiral Sir G. R. Mundy, in reporting the case to the Secretary of the Admiralty, said—

> "I beg to state that Captain Shortt has informed me that the ship's company have been satisfied with the inquiry which has been instituted, and trust their Lordships will consider that the whole case has been dealt with by me in a manner suitable to its requirements."

But it appeared to us that this very painful case required further investigation, and, accordingly, a Court martial was directed to be held on the First Lieutenant and upon the master-at-arms for the manslaughter of Addison. The result of that Court martial, which was held in January, was that both prisoners were fully acquitted. I was entirely ignorant of the fact that "gagging" was practised in the navy, and on my attention being drawn to the subject, an Admiralty Order was issued prohibiting the practice for the future, and ordering that men when noisy and violent should be confined in cells.

## ARMY — MORTALITY IN THE 86TH REGIMENT.—QUESTION.

Mr. OTWAY said, he would beg to ask the Secretary of State for War, Whether he has received further information respecting the mortality in the 86th Regiment, lately landed in the Mauritius, and, whether he has taken, or intends to take, any steps for the removal of the Regiment during the epidemic in that island?

Sir JOHN PAKINGTON said, he had hoped to have received the Official Despatches from the Mauritius that morning; but up to the hour at which he had come down to the House they had not arrived. The question was one entirely for the decision of the Commander-in-Chief, but doubtless a very strict inquiry would be made into the whole of the circumstances connected with the case. He could not, however, conceal his apprehension that in allowing the troops to land when they did, a very serious error had been committed.

## IRELAND—DUTY ON SPIRIT LICENSES.

### QUESTION.

General DUNNE said, he wished to ask the Secretary to the Treasury, Whether a large increase has not been made to the Duty on Spirit Licenses in Ireland; and, if so, by what authority, and under what Act of Parliament?

Mr. SCLATER-BOOTH said, in reply, that the Excise License Act required that the Duty should be charged according to the rent or annual value of the house. Great complaints having been made by applicants for new licenses, that they were charged on a higher basis than the holders of old licenses, inquiry was made, and it was found that publicans and spirit grocers of old standing had not in many cases been charged additional Duty from time to time in proportion to the increased value of property. The Commissioners of Inland Revenue accordingly gave orders that from October last all holders of licenses should be assessed on what was known as Griffiths' valuation, with an addition of one-fourth. Complaints of over-assessment were in consequence made, amounting to 587, but in 342 cases the new assessment had been confirmed; in thirty-six cases it had been reduced; and in 209 it had been still further increased —the rents actually paid having been found to exceed the new valuation.

## ARMY—MILITARY PRISONS.

### QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the Secretary of State for War, Whether the Resolution passed by the Justices assembled at the last Michaelmas Quarter Sessions of the county of Berks has been taken into consideration, according to promise, by the Secretary of State for War, as follows:—

> "Resolved, That it is the opinion of this Court that it is unjust that Military prisoners be sent to Reading Gaol as long as there is room for them in the Military prisons of the country;"

and, whether, in any case, if the War Office resorts to such a practice, they ought not at least to pay to the county the same proportion of expense for the use and establishment of the gaol as is paid by the borough making use of the county gaol in the same way?

Sir JOHN PAKINGTON, in reply, said, the rule of the Army was that soldiers sentenced to imprisonment only were confined in the Military prisons, but when the sentence was imprisonment and dismissal from the army at the end of the term, offenders in those cases were always sent to the county gaols. With respect to the amount paid for their maintenance, it was settled by the Act of 1863. It was not in his power to authorize any departure from those rules.

## GARTER KING AT ARMS.—QUESTION.

Mr. Alderman LUSK said, he wished to ask the Secretary to the Treasury, If he has any objection to explain to the House—seeing that the Government last Session obtained a Vote (Class 5, Vote 20) for expenses of Garter King at Arms and Viscount Sydney, in investing the King of the Belgians with the Order of the Garter, £1,020 11*s.* 6*d.* Expenses investing Kings of Portugal and Denmark and Grand Duke of Hesse with the Order of the Garter, £2,537 3*s.* 10*d.*: total, £3,557 15*s.* 4*d.*—why he asked, on Monday, the 17th instant, for, and obtained, a Vote under the head of Civil Service Excesses (Item No. 12, Special Missions, £10,224 17*s.* 5*d.*), described as—

> "Chiefly due to the expenses of Mr. Rassam's Mission to Abyssinia, and of investing the Kings of Belgium, Portugal, and Denmark, and the Grand Duke of Hesse, with the Order of the Garter?"

Mr. SCLATER-BOOTH said, in reply, that the hon. Gentleman was mistaken in supposing that a Vote for these items was taken in the Estimates last year. An account comprising those and other items of the previous year's expenditure was appended to the Estimate of last year for the purpose of showing the *data* on which that Estimate was based. The Vote taken on Monday, the 17th, was for excesses of the year ending March 31, 1867—the expenditure under Vote 20, Class 5, having exceeded the Estimate in that year.

## COMPULSORY CHURCH RATES ABOLITION BILL.—QUESTION.

Mr. NEWDEGATE said, he desired to ask the right hon. Gentleman the Member for South Lancashire, If he would fix a time after which he would not bring on the third reading of the Compulsory Church Rates Abolition Bill? Since its second reading it had undergone considerable alteration.

Mr. GLADSTONE said, he was anxious that the Bill should proceed to the House of Lords at a period when that assembly was not much occupied with other business. The discussion of the Estimates would take some time, and he could not hope to be able to bring it on before midnight. He would promise in any case not to proceed with it after half-past twelve o'clock. If any desire was exhibited for general discussion of the principle of the Bill he could not, of course, proceed with it at that hour; but he trusted that the House would permit him to go on with it that evening.

## SALE OF LIQUORS ON SUNDAY BILL. QUESTION.

Mr. ROEBUCK said, he wished to know, Whether his hon. Friend the Member for Chichester would, after what had fallen from the right hon. Gentleman the Member for South Lancashire, propose the appointment of the Select Committee on this Bill, notice of which stood on the Paper for that evening?

Mr. J. A. SMITH said, he was anxious to consult the hon. and learned Gentleman's convenience and the convenience of other hon. Members as far as he possibly could; but his hon. and learned Friend knew as well as he did the difficulty which attended the proposal of such a Motion at an early period of the evening. He would, however, promise not to bring it on after one o'clock.

## SUPPLY—ARMY ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

> "That the number of Land Forces, not exceeding 138,691 Men (including 9,880, all Ranks, to be employed with the Depôts in the United Kingdom of Great Britain and Ireland of Regiments Serving in Her Majesty's Indian Possessions), be maintained for the Service of the United Kingdom of Great Britain and Ireland, from the 1st day of April 1868 to the 31st day of March 1869, inclusive."

Sir JOHN PAKINGTON said, he was sure he should not ask in vain for the kind consideration and forbearance of the Committee whilst he proceeded to fulfil the somewhat complicated duty of offering some explanation to the Committee on the subject of the Army Estimates. In the first place he wished to remove an impression, which he believed was very general both in the House and out of doors, that the cost of the army of England for the ensuing year would amount to £15,455,450. There was not a newspaper in London that had not, in the last three weeks, contained remarks upon the Army Estimates for the ensuing year, in which remarks it was assumed that the cost would amount to the sum which he had mentioned. Only a few nights ago the hon. Member for Truro (Captain Vivian) asked him a question as to bringing forward these Estimates, and said that the army expenditure would involve a sum of £15,500,000. He (Sir John Pakington) could not wonder at the extent to which this belief had been prevalent; and he attached no blame to the public Press of London, or to any hon. Member who had been led into that belief. The amount put in the first column, showing the aggregate amount of the year's Vote, was £15,500,000; and this was quite enough to have led to the general impression. He thought that members of the Press and Members of the House could not be blamed for having abstained from plunging into somewhat complicated accounts to see whether there was any set-off to the amount so charged. Further search into the Papers before the House would, however, show that there was a deduction to be made to the extent of £1,568,000. As an illustration of the nature of these details he might mention the fact that the Capitation Grant for the forces which were supplied to India alone accounted for upwards of £850,000 of that sum. He would venture to suggest that it was hardly fair that the public should be led to suppose that the finances of this country were burdened to such a large extent, when in fact the sum should be reduced by a very large amount. The repayments into the Exchequer would reduce the charge of the army to considerably below £14,000,000. Without complaining at all of the general way in which these Estimates were prepared, he must say that he thought it a subject of regret that, in summing up the total of the first column, the £1,568,000 should not have been deducted from it. But this was not all. For many years it had been the practice, of the advisability of which he had much doubt, to include in the Army Estimates the cost of certain stores for the use of the navy, while the cost of certain transports for the army was charged in the Navy Estimates. This practice, which had been much discussed during the greater part of the present century, deprived the Admiralty of any control over the charge for the naval stores, and the Minister for War of any control over the cost of transport. His right hon. Friend the Member for Huntingdon (General Peel) in his Statement last year said, if he recollected right, that the balance between the cost of these transports and stores amounted to £270,000. This year the difference was less. The cost of naval stores provided for in the Army Estimates was £494,138, the cost of army transport included in the Navy Estimates £424,791, so that the difference was this year only £69,347. Still, the difference was very nearly £70,000, and that, he was bound to say, was a very large amount, and the system of which it was the result was certainly open to very serious objection. He had been struck with the anomaly, while preparing the Navy Estimates of last year, and also while preparing the Army Estimates this year. He had received a certain account of the transport of the army; but had no means of checking it and no means of controlling it. The matter had been long discussed; but it appeared to him that the better course would be to include the stores for the navy in the Navy Estimates, and the transport charges in the Army Estimates. But the Army Estimates had also to bear nearly £120,000 for the cost of the Ordnance Survey by four companies of Royal Engineers; and when all items not properly chargeable against the army were deducted from the gross total, the result was a net demand on the country of £13,699,455, an enormous figure, but still greatly below the supposed expenditure of £15,500,000; it might be regarded as £1,750,000 less than the sum which the House and the country had supposed to be the real cost of the army. Still, the expenditure was certainly enormous, and imposed upon those who were responsible for the administration of the army a necessity of conducting it with the utmost possible economy, consistent with an efficient service. He hoped, before concluding, to convince the House that it had been his sincere desire to reduce the expenditure of the army within the narrowest limits. Whether the re-payments to which he had alluded were deducted or not, the Estimates for the current year were not very much larger than those of last year. They exceeded the Estimates of last year in gross by £203,200. That he accounted for by the increase of the Capitation Grant to the Volunteer force, the increase in the number of the Militia, and the increase in the Survey Department. The cost of Survey for the current year would be £30,000 over the expenditure of the last year. The number of men had very slightly increased. The number of men voted last year for the army was 137,245, which included a certain force for the Straits Settlements. The intention to raise that regiment had been abandoned, and instead of it they proposed this year to borrow from the Indian government 800 men, a portion of whom would go in aid of our forces at Hong Kong. The number of men he would ask the Committee to vote this year was 137,530, being only 285 more than last year. In Vote 3 the Committee would notice a decrease of £73,100, mainly in consequence of the large amount of goods in store; but he would mention incidentally that the expenses of the clothing establishments were being curtailed. The amount of the Vote last year was £496,900, and this year £570,000. In Vote 4, relating to Barrack establishments, the Committee would notice an increase of £60,300, caused by the Fenian alarm of last year. Vote 7, the Vote for Hospital establishments, amounted to £380,771—an increase on last year of £105,200. This, however, was merely an apparent increase caused by the transfer of certain charges from Vote 1 to Vote 7. These seven Votes immediately arose out of the number of men in the army, and having disposed of them, he would proceed to a subject of very great interest to all branches of the service—the subject of retirement. The Committee, which was ably presided over by an hon. Member opposite (Mr. Childers), and which had dealt with this question as it affected the Artillery and Engineers, had made certain recommendations in their Report which he did not feel justified in endorsing. He objected to them for three reasons. If they were carried out the expense would be very great; the result would be to withdraw from the service of the Artillery and Engineers a great number of the best officers just in their prime, and when most likely to be of service to the country; and a feeling of dissatisfaction would be engendered among the officers of the Line. In fact, officers in the Artillery and Engineers would be offered a pecuniary inducement to retire; and officers in other departments of the service would feel aggrieved that they were not similarly situated. It was evident that the recommendations of the Committee could not be carried out unless they were accompanied by very extensive changes in the whole system of remunerating the army, and he, therefore, did not see his way clear to approve them. On the other hand, it was most desirable that we should, as soon as possible arrange some system of retirement for the scientific corps, by which they would be spared that stagnation in promotion which from time to time was inevitable, from which they had suffered before, and to which, as matters stood at present, they were liable again. More it was at present impossible for him to say, until he had received the opinion of the actuary to whom he had submitted the whole of this matter. He hoped to receive his calculations at an early period, and should then be ready to bring the matter before the House, and to ask them to come to a decision. Another point involved in the Report of this Committee was the mode of recruiting for the army. And here he must offer congratulations to his right hon. and gallant Friend the Member for Huntingdon (General Peel) on the success which had attended the changes that he introduced last year. Out of the thirty-nine recommendations made in the valuable Report of the Recruiting Commission, he was in a position to state that no less than twenty-four had been carried into effect. Of those recommendations, one of the most important was that the recruiting should be carried on under the superintendence of an Inspector General, specially charged with the control of that Department. The effect of the changes which had been introduced would be apparent from a comparison between the establishment voted and the actual number of men recruited in different years. In the year 1861 we were only 129 below the establishment; in 1861-2 we were 929 below the proper number; in 1862-3, 3,724; in 1863-4, 5,606; in 1864-5, 5,946; in 1865-6, 6,884; and in 1866-7, 1,358. In the present year, on the 1st of March, we were only 911 men below the establishment, and such had been the progress of recruiting during the present month that not only was there reason to believe that this deficit of 900 might be very considerably reduced; but he felt considerable doubt whether the number would not be above rather than below the Estimate. Another still more striking proof of the effect of the changes introduced by his right hon. and gallant Friend was afforded by the number of men re-engaged. In the year 1860-1 the re-engagements were 2,189 in number; in 1861-2, 2,285; in 1862-3, 2,750; in 1863-4, 2,866; in 1864-5, 3,970; in 1865-6, 6,120; in 1866-7, 3,462; and for the year 1867-8, up to the 31st of December, 1867, the re-engagements had swollen to the unprecedented number of 26,590. In a national point of view, it might, perhaps, be a question, whether it was desirable to have a great number of re-engagements; whether young men might not be better for the State than men who had already served some years. But that had not been the policy of this country. Beyond all doubt, the policy of this country and the desire of commanding officers of regiments had been to obtain re-engagements; and that being so, from the extraordinary figures which he had quoted, there could be no doubt of the signal success of the plan which his right hon. and gallant Friend the Member for Huntingdon proposed. Again, the recruits enlisted in the last quarter of 1866 were 3,951, while the recruits enlisted in the last quarter of 1867 were 5,179, showing an amount of increased activity and success in recruiting which was not to be measured merely by the number of men, as the Estimates showed that the amount expended by way of bounty was £22,000 less in the present than in the former year. A Report upon the subject of Recruiting had just been presented to His Royal Highness the Commander-in-Chief, and forwarded to him as Secretary of State for War, which was in all respects a most satisfactory document. One of the recommendations contained in that Report, which he trusted would soon be carried out, had reference to the somewhat discreditable circumstances under which of late years many of our recruits had been engaged, especially to those scenes at public-houses, which were far from creditable to the service, and which every friend of the army must desire to put an end to. General Edwards, of the Recruiting Department, entered warmly into this subject, and recommended the establishment of recruiting officers or depôts in most of the large towns in England. Two were already established—one in London and one in Bristol; and he was happy to be able to add that, as far as experience hitherto had extended, the recruits now being engaged were not only more abundant in number, but belonged to a class of society greatly in advance of the recruits obtained in former times. His hon. Friend the Member for Bedford (Mr. Whitbread) had very much at heart the carrying out of one of the recommendations of the Royal Commission upon Recruiting—that schools should be established in which young men might be trained and reared for the service of the army. The Commissioners dwelt in their Report upon the very great success which had attended the establishment of schools with a kindred object for the navy. But his own opinion had always been that a comparison could not well be drawn in this respect between the two services. It was part of the system of the navy that the crew of every man-of-war should consist partly of boys; and consequently boys at a very early age were admitted on board training-ships, passed from thence to men-of-war, and, after a short period of service as boys, entered upon the books as regular sailors. In the army, however, the number of boys who could enter was exceedingly limited, being confined to drummer-boys, or to those otherwise engaged as members of the band; and if a school for training boys in any numbers were founded, the difficulty would be to know what to do with them until they were of an age to be admitted into the ranks. The Report to which he had referred mentioned two well-known establishments—the Royal Military School at Chelsea and the Royal Hibernian School at Dublin—and expressed regret that from their constitution these schools could not be made instrumental in training boys for the army. He ventured so far to differ from the Royal Commissioners as to think that it well deserved consideration, whether it was not possible to render these establishments available in training a class of young men for the army, who would make most valuable non-commissioned officers, adding very much to the character, strength, and efficiency of the service. No doubt, the Commissioners were quite right in stating, that in these two establishments, as now constituted, it would not be feasible to train such a class of young men; and that the boys, moreover, who were trained there frequently branched off into various pursuits in civil life. But he should certainly take into serious consideration, whether, by changing the character of these schools, it might not be possible to meet the recommendations of the Royal Commissioners, by rendering these useful auxiliaries in the supply of trained young men for the army? He now came to touch upon another portion of the subject—that which had reference to the auxiliary and reserved forces, which consisted of the old Militia, the Yeomanry Cavalry, the Volunteers, and the Enrolled Pensioners — the Army of Reserve. The whole strength of the Militia, assuming it to be up to its full quota, was 128,921; that of the Yeomanry Cavalry 15,823. The number of Volunteers now enrolled—he did not speak of the whole establishment—was 187,864; and the Enrolled Pensioners, including what was called the Army of Reserve, established by Lord Herbert's Act, numbered 18,658, which would make the number 220,000. The aggregate of all these forces was 350,658. In the Vote for the Militia there was an increase of £81,931 on the sum taken last year. This increase arose from two causes—first of all, following out the suggestion made by his right hon. and gallant Friend the Member for Huntingdon (General Peel) last year, the Government had decided that the Militia should be raised to its full quota. They had deemed it expedient to spread the addition over two years. They had found the same facilities in recruiting for the Militia as they have experienced in the case of the army, and nearly the required number of men had come forward to raise the force to the number at which the Government had fixed it for the present year; the second cause of the addition to the Vote was that he had determined that lodging money should be given to every officer in the Militia. There had been a well-founded complaint that some of those officers received lodging money while others did not; and that the apartments in which officers were billeted were not fit places to send them to. He was sorry that this old force was not so strongly officered as he should wish, especially as regarded the lower ranks; but he hoped that granting lodging money to all the officers would have a good effect in the way of filling up vacancies. The case of the Quarter-master had been much pressed upon him from various directions, and in a manner which made him feel that the matter was one deserving of his attention. He had arrived at the conclusion that those officers were not in the position which, considering their military rank, they ought to be, and accordingly he had increased their lodging money allowance from 10*s*., the sum which they now received, to 14*s*. That being extended to them throughout the year would put them on a footing with the subaltern officers of the Line. The additional expense incurred by these changes raises the amount of the Vote by the sum of £81,931. There was another subject with reference to which he had received deputations. Representations had been made from the counties of York and Lancaster as to a state of things in those counties, but which he believed were equally true in respect of the rest of England. He referred to representations as to the unsatisfactory, injurious, and demoralizing results which followed from the present unsatisfactory manner in which the Militia were billeted in country towns. He could not imagine that there could be any serious difficulty in the way of arranging that one regiment should succeed another in such a way that accommodation could be secured for the men without recourse to that very objectionable system. On this subject it only remained for him to notice the proposals made by his right hon. and gallant Friend the Member for Huntingdon last year, that 30,000 men of the Militia should stand apart and in a different organization from the rest, with the view of their joining the Line whenever it might be necessary for them to do so. He begged to assure his right hon. and gallant Friend that he had not lost sight of the proposal. It was his full intention to carry it out, and the regulations on the matter had been drawn out. Under the Act of last year it was necessary that those regulations should be laid upon the table. He was not able to produce them yet, and for this reason—the whole of the auxiliary forces were about to be placed under the command of one officer—his hon. and gallant Friend Colonel Lindsay; and he thought it desirable that before those regulations were laid upon the table, and before his hon. and gallant Friend commenced his new duties next month, he should have an opportunity of seeing and reading them. The regulations would be laid upon the table as soon as possible. As to the Yeomanry force, he need not detain the Committee by any reference to that branch of the service. The next subject to which he had to advert was the condition of the Volunteer force. The Vote for this force was £385,150, which was an increase of £24,150 on the Vote of last year. The Capitation Grants for the Volunteers amounted in 1867-8 to £205,500; in the current year 1868-9 they had risen to £228,050. The efficients in 1867-8 were 115,427; in the current year they were 124,605. The extra efficients last year were 78,285; this year they were 90,587. Last year there had been repeated applications for an increase in the amount of the Capitation Grant received by each Volunteer entitled to it; and this year again he had been pressed to make a proposition on the subject. No man felt more highly than he did the great value of the force, or estimated at a higher value the patriotic spirit which had called the Volunteers into existence, and had since maintained them at so high a standard. A number of Volunteer officers had drawn up a Paper last year, in which they expressed their opinion that if the Capitation Grant were not increased it would be impossible for the force to be maintained, so heavy were the expenses thrown on the officers. He had promised a consideration of these representations; but a few days ago he had been obliged to express to a large deputation his deep regret, after a full consideration of the question, the Government felt that, consistently with their duty, they could not concede the request that had been made to them. There were circumstances which made it impossible for him to come down to the House and apply, on the ground of Imperial necessity, for an increase of the Capitation Grant. In 1863 the number of the Volunteers was 113,520, in 1864 it had increased to 123,707, in 1867, 133,848, in 1866 to 142,849, and in 1865 to 155,216. Again, he found that 1863 there were 17 new corps formed and 28 dissolved; in 1864, 6 formed and 29 dissolved; in 1865, 14 formed and 18 dissolved; in 1866, there were 12 new corps formed and 9 corps dissolved; and in 1867, there were 27 new corps formed and only 9 corps dissolved. The only inference he could draw from these figures was that the spirit which laid the foundation of the Volunteer force was still as strong as ever. Within the last fortnight he had been applied to for his sanction to the formation of several new corps. Therefore, while the amount received by the Volunteer force was sufficient to enable them to maintain their efficiency and carry on their noble work with vigour, and while the members of the force were also increased, he felt that he should be hardly justified in coming down to the House and asking it to increase a Vote which at present appeared to be sufficient for the purpose intended. Under these circumstances he had been unable to increase the Capitation allowance to the Volunteer force. With regard to the administration of the Reserve force he made an alteration, which he trusted would receive the approbation of the House. When he came to consider the position of that force he found that it consisted of four different bodies, and was divided under three distinct commands. The Volunteer force was under the Secretary of State for the War Department, and subject to the superintendence of one officer holding the rank of colonel or lieutenant colonel. The Militia was under the superintendence and command of another officer of the same position and rank, and the Enrolled Pensioners and Army of Reserve were under the command of another officer of the army. Thus there were three distinct commands for the Reserve force. It appeared to him to be impossible for this force to carry out properly and legitimately the duties entrusted to them in this divided and unsatisfactory state of control. It seemed that undivided action was desirable, and that some greater and better facilities for organization were indispensable; and that it would very much tend to increase the real value and efficiency of these local forces if they were placed under the command of some one officer of high rank and known military station, able to regulate and control the whole. He received quite lately, after having determined on the change he had mentioned, a letter forwarded from the Horse Guards strongly confirming the views he had adopted. This letter came from a distinguished officer, in command of the forces in the northern districts of England—Sir John Garvock—and was dated at Manchester, the 22nd of February—

> "Since I assumed command of the northern district, and have become aware of the large number of irregular troops, Yeomanry, Militia, and Volunteers, which it contains, it has seemed to me very desirable that some plan should be devised for making them more readily available than they now are in case of emergency. . . . The numbers approximately of the troops in question in the northern district are as follows:—Yeomanry, 8,000; Militia, 25,000; Volunteers,

53,000; total 86,000. . . . Over these forces, however, I exercise no control, and it is not necessary, and probably not desirable, that in ordinary times I should do so. Assuming, however, that when called on to act with the regular army they would be placed under my command, or that of some other selected officer, I should be glad to feel myself in a position, if suddenly directed to avail myself of the general resources of the district, to do so with rapidity and effect. As matters stand at present I cannot say that I do feel myself in that position; I do not think that these scattered troops could be brought together in a manageable form without very considerable delay."

The circumstance of a general officer having the control of all those local forces, and being fully able to organize and place them, when necessary, in districts where they might be made most available for the public service, would very much tend to increase the value of the forces on which the people of this country depended for home protection. The next Vote was one of the most important in the Army Estimates. It was the Vote for the Manufacturing Departments and the supply of Military and Warlike Stores. The amount proposed to be voted under this head was £1,491,370. The Vote had not, in fact, changed in amount—there was an apparent decrease of £64,000; but it was only apparent, for it arose from the transfer of certain charges for building to another Vote in the Estimates. The question respecting the supply of small arms was one which the right hon. and gallant Member for Huntingdon explained last year, and in which he took a very vigorous and decided part, expending a large sum of money in converting the Enfield rifle into a breech-loader on the Snider principle. Last year the sum taken for conversion at Enfield was £90,000, and the sum expended for the same object on the trade was £120,638. This year there would be asked for, £99,604 for conversion at Enfield, and £60,000 for conversion by the trade. The general result was that last year his right hon. and gallant Friend proposed the conversion of 221,500 rifles at a cost of £210,638, and this year it was proposed that 160,000 rifles should be converted at a cost of £159,604; that would exhaust the whole number of small arms that we had capable of conversion. This led him to mention that an important sub-Committee sat last year, under the presidency of Colonel Fletcher, assisted by Earl Spencer. The business of the Committee was to decide to what maker should be awarded the prize for the best arm. Their Report would be laid on the table of the House in a few days, when it would appear that a large number of the arms sent in did not comply with the conditions, and consequently the prize had not been awarded, and the question, which was of the greatest importance to the country, the best rifle, had not been decided. The Committee had, however, consented to renew its labours, which would not be confined to the original conditions of selection; but they would be free to consider and select a more valuable rifle, if possible, than the Snider, which, however, he believed to be at present the best arm possessed by any country in Europe, and which he hoped in a short time to be able to supply to all the forces. From small arms he now came to artillery. The Vote for next year in these Estimates was £271,144, including guns, projectiles, and targets. For the navy the Vote was £494,138. He would now ask the attention of the Committee to a question of which they had heard very little for some years—the wonderful advance which science had been able to make in the construction of heavy guns. Until last year no attempt had been made to provide a new armament for those forts and defences in different parts of the world which it had been the policy of the House to adopt. The Committee would recollect that when the Government of Lord Palmerston in 1860 determined to adopt the system of fortifications which was now so frequently under discussion, it was resolved that the home forts and fortifications should be erected by funds raised by loan, but that the armament of those forts should be defrayed from the Revenue of the year. The result was that the Revenue of the year was never asked for those armaments; and he believed that the Estimate of his right hon. and gallant Friend the Member for Huntingdon (General Peel) last year was the first in which an attempt was made to provide an armament for the fortifications in Bermuda, Halifax, and elsewhere, which had been so many years in construction. This did not apply only to fortifications in this country. Simultaneously we had been erecting large works in various parts of the world; and both Malta and Gibraltar stood in need of very considerable strength in their armaments. Last year the Estimate proposed by his right hon. Friend provided ninety-six guns for armament purposes, and in the Estimates he had now the honour to submit to the House about the same provision was made. The number provided this year was ninety-seven guns of different calibre. But it was his duty to state to the House that if we were to provide adequate armaments for the fortifications we had created in this country, and in various parts of the world, we must incur a very heavy expenditure— an expenditure not yet provided for, an expenditure not yet contemplated. It would be idle to pretend that the Vote he had to submit to the House to-night to provide artillery for the defence of this country was even intended to provide for the requirements before them. He must frankly state that he believed it would be absolutely necessary at no distant day that the armaments for the fortifications should be made the subject of a distinct Estimate to the House of Commons. He would only now advert for a few moments to a subject on which his hon. and gallant Friend opposite (Major Anson) intended to found a distinct Motion. He was so confident of the good object his hon. and gallant Friend wished to accomplish by that Motion that he would be ready to meet him in the fairest spirit he could; but he did think that those immense manufacturing establishments at Woolwich ought to be a subject of considerable anxiety with the House. They were enormous establishments, and involved an annual expenditure one year with another of very little less than £1,000,000. These establishments were divided into four parts—the Gun Factory, the Laboratory, the Carriage Department, and the Store Department. The Laboratory alone involved an annual expenditure of very little less than £500,000. At the head of these four establishments were four men of high scientific acquirements and very high character. He did not speak of any one of them except in terms of the highest respect, both for scientific acquirements and personal character; but from the time when he undertook his present office, he must confess he had not felt satisfied that those four establishments were subject to a sufficient check and control—looking to the immense expenditure with which they were intrusted—a check such as the interests of the country appeared to require. He believed the public interest would be very much promoted if one officer of knowledge, ability, and high character were placed as the commandant over the whole four establishments. He did not say they were now altogether without check; but they were not subject to such an amount of effectual check as in the interest of the country or even the interest of the officers themselves they ought to be subject to. He should, therefore, very seriously consider whether the interests of the country would not be promoted by appointing a commandant to exercise control and authority over the whole of the immense establishments at Woolwich. With respect to the cadastral Survey, which really had nothing to do with the Army Estimates, and concerned rather the general interests of the country, a considerable increase was made in this year's Estimates. It was the intention of the Government to make that survey proceed a little more rapidly than it had done during the last few years, and with that view they had decided to add £30,000 to the former Estimate, making it in all £118,000. He begged now to reply to a question put by an hon. Member some time since, relative to the extension of the provision of the Contagious Diseases Act. The Act had been found to work beneficially, and the Government intended to take a Vote in these Estimates for £20,650 for the erection of a hospital.

He now came to the last head to which he intended to call the attention of the Committee, which was Vote 18, for the Administration of the Army. The remaining Votes related only to the Non-effective Service, which did not call for any observation. The Vote for the Administration of the Army was £224,000, being an increase of £6,000. A portion of that increase arose from the salaries of Sir Henry Storks, £2,000, and General Balfour, £1,000, the officers lately added to the War Office, with a view to carry out the Report of Lord Strathnairn. He thought he might say that Reform in administering the Departments of the army had been more or less a subject of public attention and anxiety ever since the Crimean War. It was during that war that the defects in our transport service and the supply Department of the War Office became manifest, and they must all remember the anxiety caused in consequence of those defects. The first occasion on which a desire was shown to alter the arrangements of the War Department was when Lord Herbert, then Mr. Sidney Herbert, laid before the Organization Commission of 1860 a scheme for the appointment of an officer to be called the Director of Supply. It was clearly the intention of Lord Herbert, in proposing the appointment of such an officer, that the supply Department of the Army should be placed under the control of one responsible officer. In 1864 a Committee was appointed to consider the system of supply in the army, and before the close of 1865 Lord De Grey addressed a very able letter to the Treasury, recommending a considerable change being effected in this portion of the administration of the army. In that letter Lord De Grey said—

> "The theory of the present arrangement is that each local head of a Department is in direct communication with the general officer commanding; but it would obviously work far better, and produce far more unity of action, both in peace and in war, if the general officer commanding communicated with one head only, who was acquainted with the organization of the several Departments, and accustomed to control them. For these reasons, both on account of economy in peace and efficiency in war, it appears to Lord De Grey to be necessary that the several administrative Departments should be brought to a focus, both locally and in this office."

Before Lord De Grey could take any action for the purpose of carrying out these views he was succeeded in his office by the noble Lord opposite (the Marquess of Hartington), who in proposing the Army Estimates in 1866 made the following remarks:—

> "I am anxious to state to the Committee that we have been for some time convinced that the charges of some of those establishments are no doubt greater than they ought to be; but the only way by which a more economical system can be introduced is to bring them more directly under the control of one head. The Committee will understand that the head of a Department, such as the commissariat, or the purveyor's Department, at any particular station, although he is subordinate to the General Officer, corresponds upon matters connected with the Department with the head of his Department at home. The General Officer at the station has many other important and arduous duties to perform, and consequently is not able to exercise any very minute supervision. This is not all; under the present circumstances it is necessary that each station should have an officer, or several officers, of considerable rank. We have, therefore, made a proposal that a superior class of officers should be appointed at each station, to be called comptrollers, or by some similar name, who shall be placed at the head of the administrative Departments. Each comptroller will be subordinate to the General Officer, and responsible to him for the proper and efficient administration of the Departments; and it will be his duty to advise the Secretary of State upon the organization of each Department, and to point out where economy can be exercised."—[3 *Hansard*, clxxxi, 1541-2.]

From this extract it was clear that the noble Lord opposite concurred generally in the views which had been indicated by Lord De Grey. No direct steps, however, were taken in order to carry those views into effect; but in June, 1866, the noble Lord opposite appointed a Committee, which had since been known by the name of "Lord Strathnairn's Committee," to inquire into the subject of army transport. That Committee soon found that it would be impossible for them to discharge their duties properly if their inquiries were limited to the question of army transport, and they therefore asked and obtained permission to extend their inquiries into the whole subject of army supply. He would read extracts from the Report of that Committee, which was laid upon the table of the House in the course of last summer. The Committee recommended as the leading measures required—

> "That a Department should be organized to be responsible for, and to control, the working of all Departments of supply—namely, 1st, commissariat, including store accountants for provisions, forage, fuel, and light, military accountants and treasurers; 2nd, purveyors; 3rd, military store, as regards clothing and stores generally, but not arms, ammunition, or warlike stores, herein subsequently defined; 4th, barrack, as regards fuel and light and straw, at home as well as abroad, and in camp; and also as regards cash and barrack and miscellaneous stores, now administered by barrack-masters; 5th, army transport."

The Committee then proceeded—

> "Setting aside considerations of economy to be effected by the abolition of the superior officers of the different branches, it is difficult to over-rate the advantages which it may be calculated will arise from the united action and harmony which will be produced by making the several supply Departments of the army act under one impulse, and subordinate to one chief."

The Committee further said—

> "The practical result of these and other recommendations in the same sense will be that the Secretary of State for War at home, and general officers commanding abroad, will have to deal, in all matters relative to the administration of the army, with one responsible department—that of control—instead of, as at present, with five separate departments. General officers commanding will be relieved of the details, duty, and correspondence connected with the supply Departments of the army, as they at present exist; affording them more time for consideration of purely military and strategical duties of command; and both Minister for War and general officers will be able to intrust greater powers, and give more confidence, to an officer in the position of controller than they can under the present system to the several heads of Departments, each naturally anxious to secure the utmost advantage and influence for his own Department."

It was apparent that the intention of the Committee was to get rid of the present system of divided responsibility in this branch of the army administration, and to place that Department under the control of a single officer. In accordance with the statements he had made in answer to the numerous questions which had been put to him in the course of last Session upon the subject, he had devoted a large portion of the time at his disposal during the Recess to the consideration of the recommendations of the Committee, and he had arrived at the conclusion that it was his duty to carry those recommendations into effect. As it would have been scarcely just to the gentlemen engaged in the War Office, who were already fully employed and whose position might possibly be affected by the proposed changes, to request them to assist him in drawing out a scheme in accordance with the recommendations of the Committee, he had had recourse to the assistance of those who had been engaged in similar work in connection with the Indian Army. He applied also to Sir Bartle Frere with a view to obtaining the advice of an officer of such high character and recognized ability, one who, moreover, had given so much attention to the economical reforms which had taken place in the Indian Army, and it was to a great extent, through the assistance of Sir Bartle Frere and Sir Henry Storks, whose experience in connection with the War Office at home had been very large, and to whom he had preferred a similar request, that he was enabled to carry out some of the recommendations of Lord Strathnairn's Committee. Those two distinguished officers recommended, with a view to carrying out the suggestions of Lord Strathnairn's Committee — suggestions in which they cordially concurred— that an officer of known ability should be appointed to the post of Controller-in-Chief, and be entrusted with the organization of a Department. He had then to consider who should be appointed to this new office, and, bearing in mind the recommendation of the Committee that the Controller-in-Chief ought, at all events at first, to be an officer of high rank in the army and of known administrative ability, he arrived, after careful consideration, at the conclusion that he could not in the interests of the public make a better suggestion than Sir Henry Storks himself. At his earnest request Sir Henry Storks acquiesced in the appointment, and, with the consent and approval of that officer, he appointed General Balfour, whose experience in India would, he thought, enable him greatly to assist Sir Henry Storks in effecting changes which concerned, not only the administrative Department of the army, but which would prospectively affect the constitution of the War Office itself. The next question which arose was, in what manner they should proceed to carry out their scheme. Was Sir Henry Storks to be placed at the head of a Department? He (Sir John Pakington) decided that this would be a most undesirable mode of proceeding; and that the best course which he could adopt was to place Sir Henry Storks on the Board entirely free from all entanglements. He requested him thoroughly to investigate the state of the War Office itself, and see what changes were necessary in connection with the supply Departments, and make his report from time to time as to what changes he might deem to be necessary. He (Sir John Pakington) had reason, day by day, to rejoice at this appointment. The task had no doubt been very laborious, and one attended with much anxiety; but every day had given him fresh cause to congratulate himself, not only upon the appointment of Sir Henry Storks and General Balfour, but upon the fact that the former officer was not embarrassed by the consideration of departmental details. Although the appointment was but a recent one, these officers had addressed their attention to the system of audit now in operation, to the question of stores, to the changes which might be necessary with respect to transport, and to the mode of arranging the Department of control. The consideration of the question of barracks, though one that was the subject of recommendations by Lord Strathnairn's Committee, was for the present postponed. An able and elaborate Report on the subject of audit had already been drawn up and presented, and the tendency of that Report was, not only to promote economy, but to make the system more complete and efficient than it was at present. It suggested many practical improvements—improvements in which he fully concurred; indeed, he had already made arrangements for the duty of auditing being turned over to the particular Secretary of State, instead of continuing the present somewhat anomalous system of placing the accounts and the audit under the same Department. He had also received an able Report from the auditor. It would, he thought, be advisable to lay the Reports, which would be successively received, on the table of the House, although, in his opinion, it would be better not to do so immediately on their reception, but to wait until the intended changes had been considered as a whole. The suggestions with regard to the Department of control were now under the consideration of the Treasury, and upon the assent of that Department being received he should at once proceed to act upon them. Those suggestions would not result in any very great saving of expenditure, but the House would, he trusted, rather regard them as indicating the general tendency of the changes proposed—a lessened expenditure combined with increased efficiency. If the plan now suggested were adopted a saving of £25,000 would, he believed, be ultimately effected upon an annual expenditure of £175,000, while the decrease would be attended with the best possible results as far as the efficiency of the work was concerned. The next point to which he would allude was the Department of Transport. A plan had been drawn up for some time. That plan he was not able to carry out; but he confidently hoped and believed that, when a plan was decided on, a transport system would be established which might be beneficially employed in times of peace, and be capable of extension in time of war. They all remembered the complaints that were made of the transport service at the time of the Crimean War; and what was it they heard now from Abyssinia? Everything there, they were told, went on well but the transport. But it was obvious that if the transport were inefficient the army could not advance, and it was therefore most essential that they should endeavour, if possible, to organize a transport system on a satisfactory footing. He was truly thankful to say that when the transport plans that were under consideration should have been fully matured they would have a system of transport that would be really worthy of the name—a system that would be not more than adequate to the requirements of peace, but that would be capable of indefinite expansion in time of war. Another important duty of the Controller-in-Chief related to stores, a Department which was considerably larger than hon. Gentlemen were aware. He had received no report as yet on the subject of any new arrangement regarding the store Department, but he was prepared to say that, after mature consideration, the Government did not intend to carry out the recommendations of Lord Strathnairn's Committee. The Government, however, hoped greatly to improve the transport service, and at the same time to reduce the expenditure of that Department. The Committee would be struck with the increase in the stock of military stores. On the 31st of March, 1858, the value of our military stores was £9,420,000; on the 31st of March, 1867, the stores at home and abroad were valued at £14,601,000. This increase arose from a great variety of causes, which at present engaged the serious attention of the Government; and, although he was not able to state the decision at which the War Office would arrive, he could assure the Committee that it would not only endeavour to insure economy but also improved arrangements. He believed that the stores had very unwisely been distributed in a great variety of places; that the great object which ought to be kept in view was their concentration, and to avoid that great deterioration in value which arises from their frequent removal from place to place. In concluding his statement he thanked the Committee for the attention with which his remarks had been listened to; he had been obliged to deal with a great variety of subjects, and had endeavoured to do so as clearly and as frankly as possible. He trusted the Committee would remember that, although great changes had been initiated, a sufficient time had not yet elapsed to mature them, and that it was impossible yet to estimate how far they would tend to a reduction of expenditure. He said this in order that the efforts of those distinguished men who had given him their cordial and constant assistance might not be hastily judged. For himself, he assured the Committee the whole subject had received his anxious attention, and he firmly believed that when the plans to which he had alluded were fully carried out they would result in solid improvement, both as regards efficiency of the army and a decided reduction in the expenditure.

1. Motion made, and Question proposed,

"That the number of Land Forces, not exceeding 138,691 Men (including 9,880, all Ranks, to be employed with the Depôts in the United Kingdom of Great Britain and Ireland of Regiments Serving in Her Majesty's Indian Possessions), be maintained for the Service of the United Kingdom of Great Britain and Ireland, from the 1st day of April 1868 to the 31st day of March 1869, inclusive."

THE MARQUESS OF HARTINGTON said, it was not his intention to follow the right hon. Baronet (Sir John Pakington) through his long and very able statement; but he wished to make an observation or two on some points that provoked criticism and required explanation. The right hon. Baronet had informed the Committee that the sum asked for was to all practicable purposes the same as that asked for last year; but the Committee would remember with regret that, although the Estimate for the current year was only slightly in excess of the year 1867-8, that year's Estimate largely exceeded the Estimate which it was his (the Marquess of Hartington's) duty to submit of the year before. The right hon. Baronet wished the Committee to pass an Estimate which exceeded by £1,500,000 the last Estimate of Lord Russell's Government. Of course, it was easy, as he had said last year, to find very excellent reasons for an increase of expenditure, and he was not prepared to place his finger on any item where a proposed increase should be refused, or where a Vote might be diminished; but although a good case might, in many instances, be made out for a proposed increase of expenditure, it was very certain that nothing but the most constant supervision by the Secretary of State, coupled with a strong determination on his part that the Estimate should not be increased, could insure economy and produce reduction in the annual charge. The Committee should not forget that during the last three or four years of the Administration which preceded the present one the Estimates for the Army showed a decrease year by year, while the Estimates of the present Government showed year by year an increasing sum. However, he joined with the right hon. Baronet in congratulating the right hon. and gallant Member for Huntingdon on the success of his measures for recruiting and re-enlistment. It might not be an unmixed benefit that that should re-enlist a large number of men; but it was an unmixed benefit that they should have the offer of them. He was sorry he could not extend his congratulations to the Government on the result of their plan for creating a Reserve force. Apparently the Government did not expect any very great result from those measures, which had been introduced to the House with some little appearance of importance. This was at least the case as regards the current year. As far as he could make out, the only money asked for on account of the Reserve forces created last year was £20,000 in the Militia fund, and £7,000 in the Enrolled Pensioners' fund, making £27,000, the extent of the sum to be taken on account of the Reserve forces. It therefore appeared to him that the proposed plan was not producing any very great effect. Perhaps, the right hon. Baronet would state, in his reply, what numbers he anticipated would join the Militia and Army Reserves during the year. The Committee would cordially agree in approving the appointment of General Lindsay to be Inspector General of the Reserve force, announced by the right hon. Baronet. It had, he knew, been the intention of successive Secretaries of State for a considerable period that the offices of Inspector General of Militia and Inspector General of Volunteers should, when opportunity offered, be merged into one. At the same time he considered it very doubtful whether any great progress could be made in the way of amalgamating the Reserve forces, the Volunteers, and the Militia. They were bodies raised and organized on entirely different principles, and a certain amount of feeling—he would not say jealousy — had always existed between them. Even since the appointment of General Lindsay he had heard apprehensions expressed by Militia officers of designs supposed to be entertained for altering the constitution of that force, or for assimilating them in any way to the Volunteers. He therefore wished to warn the right hon. Baronet that it would be necessary to proceed with very great caution in any scheme which he might have before him for assimilating or amalgamating the Militia or Volunteer forces. It was quite true, as stated by the right hon. Baronet, that the Vote for Army Stores and Manufacturing Department showed a slight decrease, but the Committee, he thought, would feel disappointed that the decrease was not more considerable. Very large additions were made to the Estimates last year and the year before for the conversion of army rifles; but his impression had been that the process of conversion was to have been completed during the present financial year, and it would cause some disappointment to the Committee to find that the conversion was to be continued during a large part of next year. The right hon. Baronet had stated that last year was the first in which any provision had been made for supplying the armament of rifled guns suitable for the fortifications in process of erection. He would find, however, upon inquiry at the War Office, that attention had been steadily pointed in that direction for many years past. Changes were being made so rapidly in the patterns of heavy guns that it would have been most imprudent to provide these until the works were ready to receive them. Up to the time that he left the War Office, the patterns of heavy guns were being continually altered, and the largest patterns, in fact, had hardly been decided on. Rapid provision of the armament, however, was not nearly as pressing as the completion of the fortifications; and, as far as he knew, the armament had been provided in every case as soon as the works were in a state sufficiently forward for the purpose. The right hon. Baronet would find that for years past a large sum had been annually taken for heavy guns for land service; and all those made in the Arsenal which were not for the purposes of the navy must, of course, have been for the purposes of fortifications. A point, which he was not prepared to discuss at present, but which would demand careful consideration by the Committee, was the statement of the right hon. Baronet that he intended to act upon the recommendation he had received, and to appoint a head of the Arsenal at Woolwich. That point had been considered over and over again, and was warmly debated before a Committee of that House, presided over by the right hon. Gentleman the Member for Limerick (Mr. Monsell), and the subject was one on which eminent authorities held very different opinions. He admitted that there might be many advantages in the plan contemplated by the right hon. Baronet. At the same time he felt strongly that the appointment of a head of the establishment at Woolwich must weaken the feeling of responsibility on the part of the heads of the different manufacturing Departments, thereby tending to lessen their efficiency. There was one Vote showing a very considerable increase—Vote 14, for Works—upon which the right hon. Baronet had not entered into any explanation, probably by accident —[Sir JOHN PAKINGTON: Hear!]—and he would doubtless take an opportunity in reply of supplying the omission. It was hardly possible to discuss satisfactorily, and without some special opportunity, the views which had been put before them with respect to army and War Office reorganization; and he accordingly suggested that the discussion upon the point should be taken either upon a separate Notice on going into Supply, or else should be postponed till they came to Vote 18, the Vote for Administration of the Army. The right hon. Baronet, he must admit, had made a very full and frank statement of his intentions; but some little time was necessary for considering the plan which he had submitted, before its discussion could be usefully approached. Without pledging himself to adopt the principles recommended by Lord Strathnairn's Committee, he (the Marquess of Hartington) admitted that the intentions both of Lord de Grey and himself had pointed in the same direction. And he wished to explain that the reason why nothing had been done in the matter, before he himself left office was that the Treasury recommended that the scheme should not be actually set to work till the details had been thoroughly examined, and, among other matters, till the financial bearings of the scheme had been carefully investigated. He was not surprised that the Committee, presided over by Lord Strathnairn, should have found it necessary, at the very threshold of their labours, to come to adecision upon the larger question of amalgamation. He was of opinion that although the Committee was one admirably adapted for considering the question of transport, he did not think its constitution was that which would have been adopted if it had been intended to refer to the Committee the subject of army organization generally, or even that of the organization of the Civil Department. The composition of the Committee was too purely military to render its conclusions such as the House would be willing to accept without hesitation. The only civilian upon it was Sir William Power, the Commissary General. He is a man of very large experience; but he (the Marquess of Hartington) thought the House, while agreeing that there should be a considerable military element in the Committee, would be of opinion that in a matter of finance and public credit there should have been much more of the civilian element than was possessed by this Committee. The right hon. Gentleman had told them that the new Department would lead to economy. He hoped it would, and possibly it might; but he was not without some apprehensions that ultimately it might be the cause of increased expenditure. On this point, however, he had a strong opinion—that in any scheme of army organization the House ought not to lose any portion of the control which, through the Secretary of State, it at present possessed. For that reason, he should prefer to have had the civilian element more largely represented in the Commission. He knew that on the Army Estimates it was competent to hon. Members to discuss any of those subjects at length; but, as a matter of convenience, he thought it would be better not to go into details on the organization of the army till this question came before the House in a more direct form.

General PEEL said, that the noble Marquess had commenced by drawing a comparison between the present Estimates and those for the last year during which he (the Marquess of Hartington) had been in office as Minister for War. The noble Marquess was perfectly correct in saying that the estimated military expenditure for the current year was greater than the actual expenditure of 1865-6 by £1,340,667; but the practical question for the House was what had been the cause of that increase. With the expenditure of 1865-6, the War Department of that day was not able to fill up the ordinary casualties in the army; they had not a breech-loading rifle in the service. There is a great increase in the Estimates on Votes 12 and 13; but during the time the noble Marquess was at the head of the Department it had not fixed upon a pattern. In fact, it was at a stand-still. Had the increase in the Estimates produced the desired effects? The increased pay of the army raised the Votes by the amount of between £300,000 and £400,000, but that increase had put an end to what he confessed to have felt to be a source of great anxiety during two years. Last year was an exceptional year. No fewer than 32,000 men were entitled to their discharge, and their places must be filled up. But there was no longer any anxiety about that, though it had been said that the 2*d.* and 3*d.* additional pay which he proposed last year would not prove a sufficient inducement to men to continue in the service. He hoped that the readiness with which the ten years' men had re-entered the service would be regarded as an answer to much that was said about the treatment of men in the army. They found that the persons now offering themselves were not men taken into a public-house and there made to enlist, but men who had already served their ten years in the army. Within two years 350,000 breech-loaders had been got ready. He believed that the 100,000 provided at Enfield had been turned out by the very day named, and 50,000 had been provided at Birmingham. He should like his right hon. Friend (Sir John Pakington) to explain where the remaining breech-loaders had come from, because there had been only 300,000 new rifles in store. With reference to what the noble Marquess had said on the subject of the great guns, he thought it fortunate that he (the Marquess of Hartington) had made no considerable provision for them, because the pattern had since been altered, and because the expense would not now be so great. The original arrangement was that the money for the building of the fortifications should be raised by loan, and that the armaments were to be provided out of the annual Estimates. The approximate Estimate of the total cost for guns, projectiles, gun carriages and waggons for works under Defence Act of 1860 was £1,885,000, of which sum, the amount provided during the first seven years was only £85,000. If they went on at that rate they would not have the necessary armaments provided before seventeen years. It struck him that if they could afford to do without them for seventeen years they might as well do without them altogether. On the point of the increased expenditure he must remind the noble Marquess that the Royal Commission had been appointed by the Government of which he was a Member, and in their Report the Commissioners stated that a natural consequence of carrying out what they recommended would be to increase the cost of the army. There were several points in the speech of his right hon. Friend to which he did not think it necessary to advert; but he wished to observe that he did not exactly understand how or to what extent the recommendations which he himself had made on the subject of the Army of Reserve were to be carried out by his right hon. Friend. He thought it would be advisable to allow men who had served two-thirds of their existing engagements in the army to commute for the rest of their military service by joining the Army of Reserve; and that, on similar conditions, men purchasing their discharge might be allowed to commute for a portion of what they had to pay. With respect to the manufacturing establishments he did not see how it was possible to improve them. He should attach more importance to the individual selection that might be made of a Controller than he should do to the scheme itself. He had every confidence in the Controller and other officers of the new Departments.

LORD ELCHO said, he desired to express the pleasure he felt at the statement of his right hon. Friend the Secretary of State for War—that his object was to introduce unity of action into the administrative Departments of the army. He concurred, too, in what had been said in favour of Sir Henry Storks and General Balfour; but, whatever the satisfaction at what his right hon. Friend had been doing to improve the administration of the army, he confessed that with reference to the other part of his statement—that bearing on the amount of our force—he did not think that our present position or the proposed changes could be looked on with any great satisfaction. His right hon. Friend the Secretary of State for War proposed a change with reference to the Reserves; but even his right hon. and gallant Friend (General Peel) who proposed the change last year did not seem to understand in what manner the change was to be carried out. The House had, however, to deal with this broad fact—that the Army Estimates were increasing, steadily increasing. His right hon. and gallant Friend had just accounted for some part of the increase; but we had this increase in the Votes without any great available increase in the number of men. The Estimates amount to £13,500,000, and after this enormous expenditure the utmost force we could put in line for the defence of the country—he spoke, of course, of regular troops—was 40,000. He ventured to say that this was a result wholly disproportionate to that enormous expenditure; and he believed that the country would not go on paying such sums without a more satisfactory result. He had placed on the paper a Motion for to-morrow evening, with the object of obtaining a Commission on an Army of Reserve. The Recruiting Commission did not go into that question. That had been distinctly stated in "another place" by a noble Lord who was a Member of the Commission, and who stated that the Commissioners had not touched on that branch of the subject, because it was too vast a one. He should postpone his Motion till after Easter, when he proposed to bring under the notice of the House the question of military organization, and the means we possessed, under the present system, of providing, by an economical arrangement, an efficient Army of Reserve. He believed that the more these matters were discussed the stronger would become the opinion of the country that things were not in a satisfactory condition, and that we had not that strength at home which ought to be maintained here for the purposes of defence.

MR. WYLD said, he would wish to call the right hon. Gentleman's attention to the conduct of the Ordnance Survey, which was very unsatisfactory. There was great difficulty in obtaining copies of the surveys, and the object of the heads of the Department appeared to be chiefly to amuse themselves with photographic pursuits. He thought the people of Scotland had the greatest possible reason to complain of the manner in which their interests had been neglected, and the backward state of the survey as regarded that country.

COLONEL GILPIN said, he was glad that his right hon. Friend the Secretary of State for War had adopted the suggestion of his right hon. and gallant Friend the Member for Huntingdon (General Peel), which would prevent the War Department from calling on the Militia to furnish recruits to the army during a time of peace. He did not, however, understand, what advantage would be derived from placing under one command the forces which the right hon. Baronet proposed to place under that able and courteous officer, General Lindsay. Was the hon. and gallant General's command to be an actual one? The Militia were, under the Mutiny Act, to be in time of war taken up for home service; but during the last war they did more—they not only filled up gaps in the ranks of the regular army on foreign service, but sent out a larger force than had been in the first instance embarked for the Crimea. The Yeomanry were under the Mutiny Act; but he did not suppose his right hon. Friend proposed to put the Volunteers under it, because they appeared to dislike very much the control of the Horse Guards. He thought the proposed amalgamation of reserved forces required some further information.

MAJOR WALKER, in allusion to the deficiency of officers in the Militia force, quoted from a Return stating the deficiency in this respect in various ranks. It appeared that the deficiencies in the rank of lieutenant were 756, and in the rank of ensign and second lieutenant 1,219. With regard to the last figures, he felt bound to explain that the deficiency was caused by an Order issued some years ago for the cessation of the rank of ensign and second lieutenant; but it was notorious that that Order was issued solely on the ground that it was utterly impossible to fill up vacancies in that rank. This did not represent the full amount of the deficiency; for it was well known that the first result of the permanent embodiment of the Militia would be that a very large number of gentlemen would find it impossible for them to serve, and probably from 300 to 400 would at once retire. Those gentlemen held their commissions when the duties were confined to a short annual training, but the other calls upon their time were incompatible with permanent embodiment. The subject was no doubt a difficult one, and he agreed that they could offer no pecuniary reward that would attract young men of good families into the Militia as officers. They might, however, find other ways to attract them. At present a Militia officer's duty was one course of drudgery, and if the country took no interest in the service they could not expect that young men of family should do so. He believed that if they associated the Militia regiments with each other—had regiments of the Line brigaded with them—adopted a system of inspection—and treated the Militia as an honourable branch of Her Majesty's service, instead of, as a necessary evil, they would be able to obtain a better class of young men for officers. He was glad to hear that the billeting system was to be changed, for it was almost impossible to preserve discipline under the billeting system. Until the scheme for the amalgamation of the Reserves was produced, he thought that it would be premature to discuss it at any length; but holding the Militia to be the younger brother of the Line, he must say that if, by drawing the Militia closer to the Volunteers, the relations between the Militia and the Line should be rendered less close he should regard it as a great evil. He should have liked to hear that the Government proposed to place breech-loading rifles in the hands of the Militia; especially as the number of converted rifles now in store must be so considerable that there could be no difficulty at least in sending a sufficient number of the new arm to each Militia regiment to enable instruction in the new drill to be given this year, so that another year's training might not be wasted on a useless arm. He felt bound to express his gratitude for what the Government had already done for the service. They had increased the numbers and efficiency of the Militia, and he trusted that they would now address themselves to the task of increasing the popularity of the service among the class which commanded the force.

SIR HARRY VERNEY expressed the pleasure with which he had heard the announcement that 30,000 of the Militia force were to be brigaded with the Regular army, the result of which would, he hoped, be advantageous to both branches of the service. It was a serious consideration that there were only 40,000 men of the Regular army disposable in these islands, for the defence of the country in case of invasion, while the enormous sum of £13,000,000 or £14,000,000 was expended on the Army Estimates. There was one thing which he should like to see decided upon in the army—namely, a shorter time of service. He thought that four or five years was a sufficiently long time in which to make a good infantry soldier; and he should like to see some such length of time fixed upon for the duration of military service. By this means a more intelligent class of men would be obtained as recruits. He believed that if men could become soldiers for four or five years only, there would be hardly a family in the country who would not like to have one of its members in the army. He wanted to see more military training for the whole population introduced into our schools. He would suggest that in each of the schools which were under the Privy Council there should be some sort of military training afforded, by the engagement of a sergeant from the army to drill the boys. With regard to the Reserved force, it was not a satisfactory state of things that the Staff should be drawn from the Line, and he should like to see the Volunteer force and the Militia supplied with a Staff of their own.

MR. ALDERMAN LUSK said, he considered that civilians had a right to indulge in military criticism on the ground that they paid the Estimates, which were increasing year by year, so much so that one branch of the defensive service cost as much now as both did in the time of the Duke of Wellington, and, in fact, our army was the most expensive in the world. He would not begrudge the expense if we had a satisfactory army; but it appeared there were only 40,000 men we could depend upon in case of need. Little and dear as the army was, there was much internal dissatisfaction; for scarcely a night passed but a military grievance was ventilated in the House, and there were many blunders of administration, such as those which had been recently exposed in connection with the removal of troops—mistakes of a character that could not, as a rule, be committed by business men, whose success depended upon their own efforts. There was a want of a responsible head. The fact appeared to be that there were several heads, and it was most difficult to fix responsibility when anything wrong occurred. The best places in the army, instead of being bought and sold, ought to be thrown open to the best men, who should rise by their merits, as the leaders of parties in the House of Commons did. With an open army and an open navy we should give a chance of advancement to men who might become future Wellingtons and Nelsons. He was sorry the right hon. Baronet did not look with a little more complacency on the Volunteers. It was very hard that they should give their time and energies and still have to pay in money for the liberty of serving their country. They ought to receive a little more from the State to save them from being out of pocket. It was most unhandsome of the country to allow that, especially as we trusted so much to the Volunteer force, and its requirements could be amply met by a tenth of the money which was now as good as thrown into the sea.

General DUNNE said, the hon. Member, who had just addressed the House, had brought forward a number of grievances upon which hon. Members were accustomed to descant, but they might be easily disposed of. The expense of the army was to be in a great measure accounted for by the high price of wages in England; the comparatively small number of men retained in this country was owing to the large numbers drafted for service abroad; the disasters, which had happened in reference to the supply of the army when on active service, were chiefly owing to the failure of contractors to fulfil their contracts; while the reason why the purchase system had been retained was that the country would not sufficiently pay those officers who retired, worn out. Taking the statement of the right hon. Baronet as a whole, he thought it impossible not to be gratified with it. The right hon. Baronet had stated the whole case with a candour seldom displayed by Secretaries of State for War, and had clearly set forth the numerous defects in our system and the modes by which he was about to redress them. This would be most satisfactory to the country. The subject had been treated so ably by those who had preceded him that it was not necessary for him to go at all into detail. He only wished to say that the right hon. Baronet had shown them how necessary it was to retrace the steps taken by former Secretaries of War, for his opinion was that from 1848 down to the time when the right hon. and gallant Gentleman the Member for Huntingdon (General Peel) took office we had not had a Minister in this Department of the public service worthy to be called a Secretary at War. The right hon. Baronet who was now in office was going back to the old system, and much good would be the result. The right hon. Baronet now proposed to appoint an officer over all the manufacturing Departments of the army, and this would in his (General Dunne's) opinion be found most advantageous; but it was only going back to the system of the Duke of Wellington. He must, however, object to the amalgamation of the Militia and the Volunteers; it would be impossible to weld two forces that were entirely different in construction, training, and discipline. The Militia were under martial law; while the Volunteers were only under the discipline of their own will. He could not speak too highly of the patriotism of the Volunteers; but he could not call them soldiers or a Reserve army. Volunteers might be very well called an auxiliary force; but, technically and truly, they were not a Reserve, and he hoped, before it was too late, the Government would see the error they were about to commit in the amalgamation. It would not be good for the Volunteers—they did not wish it; it would certainly be injurious to the Militia, and it could never be carried out.

Mr. PUGH said, he hoped a fair trial would be given to the experiment of amalgamating the Militia with the Volunteers. He thought that many of the grievances of the two forces would be done away by that judicious step. There should be no jealousy whatever between them. The Militia were drawn from the same classes as the army, which had done so much for the glory of the country. The Volunteers were drawn from the middle classes, who by no fault of their own had had no opportunity of distinguishing themselves; but he hoped if ever they were called upon they would do their duty. It was said they were not under the Mutiny Act, but if ever their services were required for the defence of the country they would be placed under the Mutiny Act; and he should like to see them assimilated to the Militia, not by making the Militia more civilian, but by making the Volunteers more military. This question of a Reserve was a great question; it was that of the defence of the country; it engaged the attention of the Continental Powers, of France and Prussia especially. In favour of the Volunteers it might be said that the triumphant army of the latter Power was composed, in a great measure, of those classes from which the Volunteers derived their strength, from men engaged in trade, in professions, and in the arts and sciences. He remembered hearing that a distinguished statuary at Berlin had left his studio and shouldered his rifle to engage the Austrians. He hoped the Volunteers would not be disheartened because the Government was not able to comply with their request at present. They would remember they had a costly affair on hand at present—the Abyssinian war, which he hoped would soon terminate to the satisfaction of the country, and then the claims of the Volunteers might be considered. At present he thought a step had been taken in the right direction to unite them more closely with the Militia, and he hoped the only rivalry that would ever exist between them would be which of them should best serve their country.

Mr. O'REILLY said, there was one subject to which he had called attention for several years, when the fact was indeed denied—namely, how very inefficient the recruiting system was, and how far we were below the establishment at the end of each year. It was satisfactory, however, to find that the recommendations of the Royal Commission on this subject had been well and efficiently carried out by the Department. They had been successful in a double degree, providing a large increase and a superior supply of first recruits—an increase of from 5,000 to 7,000. They had given not only a large supply of re-enlisted men, but enabled them to take or reject whom they pleased. The re-engagements last year were 26,000; the number we might have re-engaged had not been mentioned, but it must have been nearly equal to the whole number of men whose terms of service had expired. The hon. and gallant Gentleman the Member for Huntingdon (General Peel) had stated the number wanted to be 32,000; but it was satisfactory to know that the average number required to keep up the army would not be much more than 18,000—certainly not more than 20,000—so that they had now a source of supply that would enable them effectually to keep up the army. He hoped that every means would be adopted to maintain and increase the standard of good conduct among the men; and he would venture to express a hope that, now the pay of the soldier had been increased, it would no longer be given to him in driblets—as if the only way to keep a man sober was to give him his pay in such small sums that he could not get drunk upon it. When they were getting a better class of men they should treat them with more confidence. He had heard with great satisfaction that the Report of the Inspector General of Recruiting would be produced so as to enable them to form a judgment on the whole matter. There were several matters deserving serious consideration which were to be reserved. One was the subject of the retirement from the non-purchase corps of the army. That subject was to be brought before them for separate consideration. When it was brought forward he should be prepared to support the recommendation of the Committee of which he had been a member. There was another point that had been reserved—namely, the combination of the different manufacturing Departments of the army under one head. He expressed no opinion on that subject. It was also unnecessary for him to refer at present to the recommendations of Lord Strathnairn's Committeee, since they would be brought forward on a future occasion in greater detail. He, however thought that the change proposed by the right hon. Gentleman in the administration of the army supply would lead to greater economy. He did not feel called upon to express any opinion with respect to the question of the Army Reserve which had been brought forward by the right hon. Member for Huntingdon last year, as that subject would also come under discussion on a future occasion. With reference to the question that had been raised by the hon. Member for Queen's County (General Dunne), he saw no reason why the Militia and the Volunteers should not be under the inspection of the same general officer. There were five different species of military forces in this country—the Regular army, Militia, the Yeomanry, the Embodied Pensioners, and the Volunteers, which were at present entirely separate, and in some instances antagonistic, in their organization, and, in his opinion, it would be far better if all the different elements of the Army of Reserve were brought under the control of one head. He wished to direct the attention of the right hon. Baronet (Sir John Pakington) to two minor points connected with the subject. In the first place, it would be advisable to place the members of the survey Department upon a permanent, instead of leaving them upon their present temporary, footing. It would also be well if some arrangement were come to by which the sums to which those cavalry officers, who had purchased their commissions before the change in the regulations, were entitled on leaving the service were paid them at once, or were rendered available towards purchasing their future steps.

Mr. AYRTON said, he understood the Secretary of State for War to say that it was contemplated to put both the Militia and the Volunteers under generals of districts. [Sir John Pakington made a gesture of dissent.] He was anxious that the right hon. Baronet should explain whether he proposed to retain the great principle of the civil administration of the army—the principle that everything connected with the expenditure of public money—everything, in short, unconnected with the discipline of the troops and the use of arms, should remain in the hands of civil administrators. He could well understand how a contrary principle might find favour in the eyes of military men; but he trusted that, before introducing any change in this respect, the right hon. Baronet would submit his proposal in a distinct form, so that the House might express an opinion upon what, in his opinion, would tend to withdraw the expenditure of public money from the control of the representatives of the British taxpayers.

Colonel NORTH said, he should be glad to receive from his right hon. Friend some explanation with respect to the boys whom he proposed to introduce into the army. His right hon. Friend said he thought the boys educated at Chelsea might be advantageously employed in the army as non-commissioned officers. But did his right hon. Friend mean to say that they should at once be invested with the rank, and placed over the heads of all the other members of the force? If that were his intention, he (Colonel North) could assure him that the measure would create great dissatisfaction throughout the service. The hon. Alderman (Mr. Alderman Lusk) who had addressed some remarks to the Committee upon the subject of the army, and had immediately afterwards left the House, gave the Committee to understand that this country was paying a great number of millions for the support of 40,000 men; but the fact was, that although we had only about 40,000 at home, about £13,000,000 covered the expenses of something like 136,000 men. It was true, as the hon. Alderman complained, that the troops were scattered all over the world; but our soldiers were stationed in the West Indies and other unhealthy and pestilential places, not in consequence of their own inclination, for they would much rather remain in this country, but for objects of which the hon. Alderman himself would probably strongly approve. The hon. Member for Carmarthenshire (Mr. Pugh), in talking of the advantages which had accrued from volunteering in the Prussian service, should have remembered that volunteering was unknown in that country, and that every one was bound to serve for a certain length of time. He did not believe that such a system would be tolerated for a moment by the people of this country. The Volunteers ought and wished to be regarded as auxiliary to the military and the Militia, with whom they did not desire in any way to interfere.

Mr. AYTOUN wished to know, whether all the troops at home had been supplied with Snider rifles; whether they had been furnished to our troops in India and the colonies; and, whether it was intended to place them in the hands of our native troops in India and of our Volunteers? He understood that already about 300,000 weapons had been converted—enough, it might be thought, to arm the whole of our regular force. With respect to the Volunteers, the right hon. Baronet appeared to argue that, because the number of efficient riflemen was increasing, the Capitation Grant ought to receive no addition. He denied the justness of the inference. It was a fact that, owing to the smallness of the Grant, the selection of officers was confined to within very narrow limits, only rich men being able to accept the higher appointments.

Mr. CHILDERS said, he had to congratulate the right hon. Baronet on the very lucid statement in which he had brought these Estimates under the consideration of the House. The explanations which the right hon. Baronet had made had been none the more easy from the fact that the right hon. Baronet had to show that an apparent expenditure of about £15,500,000 represented a real outlay of less than £14,000,000. But there were some points involved in that statement on which he (Mr. Childers) was anxious to take that opportunity of making a few observations. He, like his right hon. Friend, noticed in the form of the Estimates some changes which, although about to be considered by them, had not been approved by the Committee on Public Accounts, and which, undoubtedly, tended to swell the Estimates. He would not, however, discuss this question of extra receipts, as it would come before the Committee to which he belonged. But the Secretary of State had suggested more questionable changes. His right hon. Friend had referred to the fact that all the transport expenditure was borne on the Navy Votes, and all the cost of the guns for the navy on the Army Votes; and had told them that he should like to see the cost of the army transports inserted in the Army Estimates, and the cost of guns for the navy in the Navy Estimates. Now, it seemed to him (Mr. Childers) that it would be very difficult to carry out that arrangement. The rule should be that the Department which had the spending of the money ought to be accountable for it on the face of the Estimates. If the military Departments had the manufacturing establishments under their charge, then, however much of the out-turn of those establishments went to the navy, it was impossible that the navy could be properly made accountable for them. If again the transport department were under the control of the military authorities, then it ought to come under the military Votes; but as long as the charge of the transport service rested on the Admiralty, its cost should not be placed in the Army Estimates. The cost of the transport service was not all comprised in Vote 17 of the Navy Estimates; but included the charge for men, provisions, and items in several other Votes, and, therefore, if the army took those charges upon its Votes, it would take upon them provision for a certain number of sailors, the cost of victualling the vessels, &c., and the only result will be confusion worse confounded. With the exception of cases of that kind, however, he entirely agreed in the general tone of his right hon. Friend's remarks, and admitted the desirableness of the Army Estimates showing army expenditure and the Navy Estimates showing navy expenditure. He thought it ought to go out to the country that they were not spending £15,500,000, but really less than £14,000,000, on the army. This, indeed, was a far too great expense for this country. But he could not but admit that the last Estimates of an expiring Parliament ought not to deal largely in important changes, which, whatever might be their direction or their extent, would have to come before the next Parliament, chosen by the new constituencies. The next House of Commons would most probably seek to render the army more national than it had hitherto been with respect both to officers and men; and those questions would have to be handled in a careful manner, lest they should destroy the existing machinery without constructing a better machinery in its place. But meanwhile one of the preparatory steps should be to get the control of the civil Departments of the army into a thoroughly efficient condition before they attempted to make more extensive changes. He was glad, therefore that his right hon. Friend had, during the Recess, taken up as his own peculiar question the subject treated by Lord Strathnairn's Committee, and although his right hon. Friend had not yet gone far in the matter, they had every reason to hope that, in the course of the present Session, an efficient control over those Departments would be brought about prior to the consideration of the further changes to which he had alluded. But coming to the recommendations of Lord Strathnairn's Committee, he wished to say at once that he thought it would not be expedient for Parliament to deal with them, as far as sanctioning or disapproving them went, until the whole scheme was fully before it. The matter was too large and too important to be treated piecemeal. We had a very peculiar system of army management. Without, then, discussing whether the relations between the War Office and the Horse Guards were the best that could exist, it must be admitted that those relations were of a peculiar and delicate character, and a danger he foresaw in dealing with the recommendations of Lord Strathnairn's Committee was that, unless the greatest care was taken, they might intensify the existing duality of the army administration, the result of which would be the most complete financial confusion and the utter destruction of anything like uniform action. The right hon. Baronet was of opinion that it would be desirable to place the Controller's Department under the management of an officer of high rank, who would bring to the War Office the experience which he had acquired in the service.

Sir JOHN PAKINGTON explained, that what he had said was, that the recommendations of Lord Strathnairn's Committee was that the system of control should be commenced under an officer of high rank.

Mr. CHILDERS was not at all disputing the fitness of the two gallant officers selected, but desirous of pointing out to his right hon. Friend that unless the greatest caution was observed the effect produced might be to minimize that civil control to which the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) had referred; and one of two things would probably happen—either the entire management of the army would be thrown into military hands, the Secretary of State being practically powerless, or they would have two military Departments acting as rivals to each other, and creating an infinitely worse dualism and anarchy than was produced by the antagonism between a civil and a military administration. He would next take the question of audit. For an efficient check on expenditure three things were necessary. First, they ought to have the means of knowing what expenditure was really going on; next, they wanted a proper controlling authority; and, thirdly, they required to have a Department engaged in auditing the expenditure which had been incurred, to ensure that the accounts were correct, both as to authority and as to voucher. It was important that there should be no confusion between these several distinct branches of financial administration. The right hon. Baronet had spoken of a prompt audit; but the whole theory of audit rested on the hypothesis that the auditor should not be hurried, and should not feel that he was obliged to exercise his functions with rapidity in order to keep up with the requirements of the service. For this reason he had heard with regret, rumours that the auditors of army accounts were to be subordinate to some high War Office official. He especially insisted that the auditing Department should be more directly under the control of Parliament, as is the Auditor-General. It should not be under departmental control. [Sir John Pakington said it was not.] He admitted that the right hon. Baronet had not yet committed himself to the error he wished to guard against; but he feared that the tendency of his arrangements was in that direction. The Audit Office, properly so called, or the War Office, should be more under the control of the Auditor General than under that either of the Controller or of the Under Secretary of State. With regard again to transport, so far as conveyance of troops by water was concerned, he thought the right hon. Baronet would act somewhat rashly if he attempted to run counter to the recommendations of the Committee which considered the subject, and to bring back that service under the control of the War Office. Allusion had been made to the scheme of retirement from the non-purchase corps which had emanated from the Committee which sat last year, and of which he was Chairman. Three objections had been urged against it, according to his right hon. Friend; first, the expense; secondly, that it would have a tendency to withdraw efficient officers from the army; and, thirdly, the dissatisfaction among the other branches of the service that would arise in the event of its being applied to the officers of the Artillery and Engineers. The Report had received, however, the unanimous sanction of a Committee composed of civilians and military men. But the real fault found with the plan had not been mentioned. The objectors to the scheme really felt that the system proposed was too economical for them. It had been urged by the senior officers of Artillery that under it they would lose prospects which, by the unequal character of the present system, had fortunately and accidentally been held out to them. Most probably the discovery of the three other objections alluded to by the right hon. Baronet was due to this cause. [Sir John Pakington: I never heard of that.] If the right hon. Baronet had not heard of what had been in every newspaper during the last six months, it showed how industrious those had been whose interest it was to keep him in ignorance. He (Mr. Childers) honestly believed the objections came from a very few persons, and that the facts were as he had stated them. He concluded by thanking the right hon. Baronet for his clear statement.

Mr. WHITBREAD said he would beg to recall the attention of the Committee to the question of the supply of men for the army. The right hon. and gallant Member for Huntingdon (General Peel) was to be congratulated on the success of his measures for supplying recruits and securing the services of the time-expired men. Not to detract from the measure; but in order to dispel any idea that they had already done sufficient, he must remind the Committee that the scheme came into operation at a favourable time. The years 1866-7 and 1867-8, in which the greatest number of men might have claimed discharge, were also years in which employment out of the army had been extremely scarce; and, consequently, there had been more men willing to enter the army and fewer desirous of leaving it. This was an element that must not be omitted from the calculation. It was a moot point whether it was right or wrong to continue the services of the time-expired men; and the right hon. Baronet had hit the nail upon the head when he said that the Government should be in a position to accept or not, as they chose, the services of such men. The right hon. Baronet said he thought the number of men re-engaging was a sufficient answer to the attacks made on the way in which the soldiers were treated. All he (Mr. Whitbread) had ever said, on this point, was that the measures formerly adopted had the effect of checking the disposition of men to re-enlist; and no man felt greater satisfaction than himself at the successful results of the improvements which had been made in the condition of our soldiers. With regard to the proposed system of training recruits for the army, he admitted that a fatal mistake had been made by the Committee, of which he had the honour to be a Member, in using the phrase "training boys." Those whom the Committee wished to train would be like the boys who enter the naval service. The boys of the navy were young men of nearly seventeen years of age when they entered the service. The Committee contemplated taking these young men a year older than the boys in the navy, and keeping them a year longer in training as soldiers. To make an effective soldier a man had a great deal to learn, and all he (Mr. Whitbread) asked was that he should be taught before and not after he was eighteen years of age. Let the boys be taught during the most teachable time of life, as boys intended for trades were taught. Were the training schools open to young men at the age of sixteen, they would not enter the army from sheer want of employment, or be driven to it because of their worthlessness; but would assuredly seek it with a determination to rise in the profession. Much fault had been found with the statement of the Government that these youths should go in as non-commissioned officers. [Sir John Pakington said, he had never intended it.] He was glad to hear it; for nothing could be more fatal to the plan he had at heart than that these boys should enter in any other capacity than ordinary privates. If the right hon. Baronet would give those boys a certain amount of general education and as much professional instruction as possible, and then take them straight from the school to the army, commanding officers would be only too glad to avail themselves of their services. Finding the value of these boys, they would not leave it to civilians to press this matter upon the War Office; but would themselves ask the right hon. Baronet to increase the number of these training schools for the army.

Mr. OTWAY in rising to move that the Vote be reduced by the number of 2,758 men said, the speech of the right hon. Baronet the Secretary of State for War was rather inconsistent. The right hon. Baronet had indicated a desire for economy; but, at the same time, the only economy which he seemed to have any hope of effecting was insignificant and hardly worth mentioning in an expenditure so vast. It was strange to hear the Secretary for War admit that these military accounts were no accounts at all—that they contained inaccuracies of such a character that it was impossible to determine from them what our military expenditure was. The expense occasioned in transport by the invaliding of soldiers was, for instance, charged to the navy, although it properly arose in the army. But it was evident that, in such a case, all that was necessary to prevent confusion was that a debtor and creditor account should be kept between the army and navy with regard to the transport of troops, and every expense occasioned to the navy by transporting troops should be charged on account to the army. One important point in connection with the accounts before them was the question of audit. The hon. Member for Pontefract (Mr. Childers) said it was the theory that it should not be hurried. To that might be added another theory, that it should be independent. It was hardly credible that these accounts amounting to £15,500,000 was submitted to no independent audit whatever. What protection was there for the public? The system adopted was one of the worst that could be conceived; for the gentleman who audited the accounts had at the same time the payment of the money, and he would be a most disinterested gentleman if he were in a hurry to expose any error which he might discover he had made. There was one thing very noticeable, too, in reference to the audit, and that was, that whatever errors might be discovered, it very rarely happened that the money which had been improperly expended was recovered. In a year of profound peace Parliament was called upon to vote £15,500,000 for military purposes, and in return for that sum we had the smallest army maintained by any country in the world which professed to exercise any power. If the House would accept the proposition he was about to submit—namely, that the troops in the colonies should be withdrawn, we might very largely reduce our military expenditure. The right hon. and gallant Member for Huntingdon (General Peel) had said that no comparison could be instituted between the cost of maintaining our army and that of maintaining foreign armies, especially those of France and Prussia, because we maintained troops in the colonies. But as to France that was incorrect. France maintained in Algeria as large an army as we had in India. He admitted that the soldier was better paid here than in any other country in the world, and he believed that he was as well clothed and as well fed. He did not think that any economy could be introduced into our army with regard to the pay, clothing, or food of a soldier. As to the officers, considering the outlay they had to make, through the pernicious system of purchase, they were the worst-paid officers in the world. In 1835, a year of profound peace, our military expenditure was £5,626,713, including the Effective and Non-effective services. In 1855, when we were engaged in a war with one of the great powers of Europe, and maintained a large body of contingent troops, our military expenditure was £13,721,158. Of course, the accounts then did not include certain things which were included now. [Colonel HERBERT: Did they include the Ordnance charges?] They did not. Again, in 1815, at the close of the great war, when we had 246,000 men under arms, the military expenditure of the country was £19,869,000. These figures showed how the Army Estimates grew. This year—a year of peace—the military expenditure was put down at £15,500,000. As the Estimates increased, however, the number of men employed grew smaller. That had been the case since the present Government came into office. In 1866, the Army Estimates were £14,340,000, and the number of men was 138,117. In 1867, the Estimates were £15,252,200, and the number of men 139,163. This year the Estimates were £15,455,400, and the number of men 138,691. The amount for the general staff of officers was also increasing. The sum voted for the general staff last year was £98,291; this year, with fewer men, it was £101,815. But these were only small matters. That which lay at the bottom of our military expenditure, was what might be called the double government of the army. He did not think that that was a subject to be discussed on a question of military Estimates. He had given notice that he should take an occasion of submitting that subject to the House; because it involved, not merely matters of great constitutional importance, but questions of essential importance as regarded economy in the army. There was a double staff of officials to do work which could be well done by one Department. When we compared the expense of these two Departments with that of the one Department in France or Prussia, we saw the cost which the double government of our army entailed. The charge for the War Department was £224,578. There were 621 *employés* in the War Department, and 156 in the Commander-in-Chief's Department, making a total of 777 persons employed in the administration of the army. France, which had an army three times as numerous as ours, had only 480 clerks to administer her army, and the total cost of administration was 1,920,528f., or £76,838. The

French standing army amounted generally to between 500,000 and 600,000 men, while ours was only 138,000. He had recently had an opportunity of inspecting the War Department at Berlin. Anyone who was acquainted with the arrangements in Pall Mall would be astonished on seeing the contrast exhibited by the Berlin Department. During the late war the Prussian army consisted of between 400,000 and 500,000 men, and it was administered in a way which commanded the admiration of all who watched its proceedings. The whole cost of the Prussian War Department was 326,000 thalers, or £48,900 a year. With these facts before them, he thought it was clearly time to make some reforms in our War Department. The right hon. Baronet was, like most Ministers of State, very hopeful, and if his hope was to be realized it would be by the employment of Sir Henry Storks and General Balfour, than whom two more competent gentlemen could with difficulty be found. He (Mr. Otway) was strongly of opinion that no real economy would be obtained in this direction until the Horse Guards were brought under the same roof with the War Department, and an end was put to the ridiculous and overdone system of correspondence between the two offices. He remembered a recent instance. An hon. Member put a question to the Secretary of State for War as to the landing of the 86th Regiment upon an island in which an epidemic was raging. He was asked to postpone his question until communication could be made with the Horse Guards. He would give an instance of the circumlocution which existed. A communication was sent the other day to the office by an Adjutant General of Artillery. It was the custom for every letter to pass through the hands of several clerks, each of whom made his sentiments known by a memorandum on the back of the letter. On the occasion in question the letter was returned to the writer with fifteen endorsements by clerks, the last of which was—"This letter should be referred to the Adjutant General of Artillery"—the very person by whom the letter had been written. This was a specimen of the "confusion worse confounded" which now prevailed. He knew a gentleman, too, who had assured him that his employment in the War Department consisted entirely in stamping and copying letters—work which could be done equally well by a non-commissioned officer at 1*s.* or 2*s.* a day in addition to his pension. He hoped Sir Henry Storks would soon see his way to a sensible reduction in the number of clerks. One of the items on which he desired to comment was that of £48,000 for agency. This sum the public were called upon to pay to certain gentlemen who acted as bankers for the army; but whose most important occupation was the conducting of illicit arrangements between officers for the sale and purchase of commissions. It was one of the most pernicious military systems that had ever existed, and the sooner this item disappeared from the Estimates the better it would be for the credit of everybody concerned. He hoped, indeed, his hon. Friend (Mr. Trevelyan) would succeed in carrying a Motion of which he had given notice, and with it the disappearance of this charge. With regard to recruiting, a considerable saving might be accomplished; for only those who had investigated the matter could have any idea of the unnecessary trouble which a recruit had to undergo, or of the expense which attended his being bandied backwards and forwards, and subjected to different examinations. When a recruit was brought up by the Marines, he was examined by a medical man, and if he was rejected there was no expense to the country; and this plan, if generally adopted, would be serviceable to the country with regard to general recruiting. He now approached the most important point in which a substantial saving might be effected. It had been asked, seeing that we had only 45,000 troops for the defence of the country in case of attack, where were the remainder of the 136,000 men the Committee were asked to vote, and the answer had been that 48,000 were distributed over our colonies. One would think that if soldiers were enlisted and sent to the colonies, the colonies would pay for their own defence. The people of Australia, man for man, were richer than the people of this country. But the colonies did not contribute their share. There was only one exception, and that was the unfortunate island of Ceylon, which was called upon to pay for more men than were in fact sent there. At least, so it was stated. The cost was £146,000 a year; the contribution, £160,000. The whole cost of our troops stationed in the colonies was £3,388,023, of which they returned to us £365,700, leaving a balance against us upon this head of £3,022,323. Expense, however, was not the only drawback attendant upon the present disposition of our troops; there was also danger. Would any man in possession of his senses contend that by any possible amount of valour or arrangement 12,000 British troops could successfully defend Canada from invasion? With such an immense frontier, America, at any moment she chose to march into Canada, could swallow the British force at a mouthful, and the very presence there of a small British force was provocative of such an expedition. Malta cost us a large sum yearly. Besides being a great military station, Malta was a great naval *entrepôt;* and there were naval and military hospitals, naval and military prisons, a naval and military baking establishment—in fact, all the establishments were in double. The place was not large enough to admit of the manœuvring of troops, and, as a consequence, the soldiers were suffering from lassitude and sickness in the warm seasons. It should be made essentially a naval station, and the military expense would at once be got rid of. The island should be garrisoned by marines, who could be changed about with the marines of the Mediterranean fleet. Great good would accrue and much less expense would be incurred than at present; 6,500 men would be set free for duty elsewhere. As for the guns at Malta, the Marine Artillery, the finest force in existence, could take care of them. He commended this idea to the Secretary of State; but he supposed it would not have much effect upon him. With regard to the particular Vote upon which he intended to test the opinion of the House by a Motion, the hon. Member proceeded to quote the opinions of officers, civilians, and military men, who were either heard orally or to whom interrogations had been addressed by the Committee moved for by the hon. and gallant Member for Lichfield (Major Anson), as to the possibility of superseding, or supplementing, British troops in the colonies by the employment of native troops. They sent British regiments to the West Indies, at a very considerable expense, to be decimated, when their places might be filled by troops belonging to a different race—for instance, Malays or Indian troops—having no affinity with the natives, and therefore not dangerous in case of disaffection amongst them. With regard to the Mauritius, it was questionable whether it was necessary to maintain a garrison there, but according to the statement of the right hon. Baronet himself, one-half of the force there might be dispensed with. Matters had changed very much since the days of Paul and Virginia, and sometimes the climate was little short of pestilential. He protested against our sending several thousands of European troops every year to climates of the most unhealthy character, and believed that to be one of the greatest impediments to recruiting. If it were necessary to send European troops there at all, such troops should be specially raised for the service. Never were soldiers more satisfied than the European troops that had served under the East India Company. The defence of all the West India islands must be a maritime defence, and garrisons as a means of defence were but of little use. What happened with regard to Hong Kong? Dr. Dick, the principal medical officer there, made a Report of the sanitary state of the island, and recommended the withdrawal of an European regiment, with a view to the preservation, as far as possible, of the health and efficiency of the British soldiers, and to a diminution of the great expenditure arising from casualties in a European regiment stationed in such a climate, and his recommendation was supported by the General in command. That Report was never acted upon, and six months after it was followed by another, in which Dr. Dick said that it was now his duty to show to what an extent the fears he then ventured to express had been realized. He then proceeded to state that within little more than three months deaths and invaliding among the men to the amount of 66 per cent per annum had taken place; that 81 out of 101 women and 71 out of 171 children had died, and that 11 officers had died or were invalided within the quarter. The West India command furnished an illustration of the way military affairs were managed by the War Department. The West India command consisted of 4,919 men, the cost of which was £282,172, and he now asked the Committee to listen to what followed. The staff employed in commanding those 4,919 men—about as large as a brigade or a major-general's command—consisted, among others, of two general officers, two deputy-assistant-adjutants-general, two assistant-quarter-masters-general, two military secretaries, two aides-de-camp, four fort-adjutants, four commandants, and nineteen clerks, and their pay amounted to £10,750. At the

Mauritius 2,000 men were stationed, and the cost was £132,700, and the staff consisted of one major-general, one deputy-quarter-master-general, one military secretary, one aide-de-camp, one fort-major, and eight clerks. Their pay amounted to £8,880. Such a state of things was enough to excite the attention of the country; and people would say that there was an absurd, lavish, and improper expenditure, two or three general officers being employed to do what would be the work of one colonel in the French or Prussian armies. The authorities at the Horse Guards would say that they must find employment for our general officers, and the general officers when abroad must have European troops, the consequence of which was that the country was saddled with a vast expenditure for purposes so small and useless. He did not venture to ask that in this year's Estimates any large reduction should be made; but he would ask the Committee to do that which could be done without in any way affecting the public service. He proposed to withdraw half the garrison in the Mauritius, amounting to 958 men, and half the garrison in the West India, Windward, and Leeward Islands, amounting to three battalions, or 1,800 men. He would move that the number of men be diminished by 2,758.

Motion made, and Question proposed,

"That the number of Land Forces, not exceeding 135,933 Men (including 9,880, all Ranks, to be employed with the Depôts in the United Kingdom of Great Britain and Ireland of Regiments Serving in Her Majesty's Indian Possessions), be maintained for the Service of the United Kingdom of Great Britain and Ireland, from the 1st day of April 1868 to the 31st day of March 1869, inclusive."—(*Mr. Otway.*)

Sir CHARLES RUSSELL said, he would not at that hour attempt to follow in detail the hon. Gentleman who had just sat down (Mr. Otway) through his various statements; but would merely remark that every friend and foe of the army were agreed that the expenditure was too much, and would be exceedingly glad to see it reduced. The hon. Member said we had the smallest standing army of any nation that professed to keep one, and the hon. Gentleman now proposed to increase its efficiency by reducing it by 2,758 men. The hon. Gentleman had enlarged upon the intricacies of the double command, and, in fact, had entered into the question of the re-organization of the War Department — a matter which was now actually taken in hand, and which they expected to see dealt with in a manner which would lead to very beneficial results. The hon. Gentleman had alluded to 700 *employés* in that Department who, he said, had to do with only 136,000 men. But he omitted to mention the Militia and Volunteers, with which the Department had also to deal, making in all a force of 500,000 men. The hon. Gentleman had referred to the agency system, which he had discovered was maintained at great expense for the purchase and sale of commissions. He was surprised the hon. Gentleman had forgotten that the sum paid to Messrs. Cox nd Co. and other army agents was paid for their services in distributing pay, and acting as very useful and efficient bankers to the army in general. Though under the admirable arrangements of the right hon. Gentleman the Member for Huntingdon (General Peel) the standard of the army had been raised an inch, which meant reducing the available sources of the supply of recruits by a very large number, the fact was that the strength of the army had been greatly increased. An advantage of the present system was that now, for the first time, commanding officers had the power of rejecting men that offered themselves for re-engagement. The hon. Member for Chatham (Mr. Otway) had complained that our troops were so scattered in the colonies that we could only put 40,000 men in line. He supposed the hon. Member must include Ireland among the colonies, for he had made no allusion to the 20,000 troops stationed there. He agreed with the hon. Gentleman that the defence of the long line of Canadian frontier was difficult; but how could we with any dignity withdraw our troops from Canada? As to the extraordinary arrangement suggested by the hon. Member at Malta, he was at a loss to know why marines should not suffer as much from lassitude there as Line soldiers. The hon. Member seemed to think there was no drill ground in Malta; but he could assure him that there was an excellent drill ground there, and that he had often been drilled on it till he was very tired indeed. With regard to the mortality at the Mauritius, he had passed fourteen months there, and a more beautiful and, at ordinary times, a healthier island he had never seen. The fever there was, of course, much to be deplored; but the island could not be defended by naval means, for it was surrounded by coral reefs, and ships of war could not lie off the island. Moreover, the Isle of Bourbon, close at hand, was garrisoned by a French force, which might at any moment make a descent upon the Mauritius. The substitution of black troops there and elsewhere would be no economy; for the cost of a regiment was within a few pounds that of an English regiment, and the black troops died off as rapidly as white troops. The proposal of the hon. Gentleman would effect an inconsiderable saving, and, as it would reduce the strength of the army by 2,700 men, he hoped the hon. Member would not put the Committee to the trouble of dividing.

CAPTAIN VIVIAN said, the right hon. Gentleman had referred to him in the course of his speech as if he had stated that the British army cost £15,000,000. He was aware, however, that there was a sum of £2,000,000 under the head of repayments, which the Government would be recouped, and which reduced the army expenditure to £13,000,000. He believed that the public were led into error by these figures, and that they thought our army cost the extravagant sum of £130 per man. Many items were not fairly chargeable upon the army. For instance, as had been pointed out, there was the item of warlike stores for the navy, though this was, perhaps, balanced by the transport furnished for the army by the sister service. On this point he suggested whether it would not be a good plan to set up a system of army transport for the army alone, quite independent of the navy. Deducting all the items which were not fairly chargeable against the regular forces, there only remained £11,750,000, or £86 per man; and this comprised food, clothing, arms, equipment, horses, and the pay of every single person connected with the army, from the right hon. Baronet downwards. He was glad to hear the improvements proposed in the Militia, which was the real constitutional force of Reserve to which we must look. It would be well that this force should be brought into closer relations with the regular army; and if it were placed in barracks when called out, that would be a great advantage, for discipline and morality could never be maintained under the system of billeting. Militia officers ought to receive greater encouragement, and he was much gratified at hearing that something was about to be done for that ill-used class of Militia officers, the Quartermasters. He congratulated the right hon. and gallant Member (General Peel) on the great success of the extra 2*d.* per day in procuring men for the army. It appeared from the statement of the right hon. Baronet that more men had re-engaged last year than in the preceding five years. It had been stated, with truth, that not more than 40,000 men could be set in line in this country; and his hon. Friend (Mr. Otway), looking at the number of troops employed in the colonies, wished to reduce the Vote for that service. Such a proposal opened up a grave question, which was probably of too much importance to be dealt with incidentally in Committee. If we were to increase our effective force it must be done by making the colonies pay for their own troops. It was an extraordinary thing that some colonies paid so largely for the number they had in comparison with the payments made by other colonies. He did not see how our interests could be served by our maintaining 12,000 men in Canada. The military courage of the Canadians would be more readily developed if we did not allow it to remain dormant by quartering our troops in the colony.

COLONEL PERCY HERBERT said, that from his own knowledge and experience he should strongly deprecate the transfer from the navy to a military department of the transport of troops. In time of war it would be impossible to secure troops a proper safeguard during passage unless the arrangements were in the hands of the officer in charge of the naval force on the station. He was glad that notice had been taken of the remarks made about military agents; for it would be unjust to let it go forth that the very respectable firms and gentlemen who acted as agents for the different regiments did nothing for the £48,000 except carry on a traffic in commissions. They had responsible duties, and discharged them efficiently, and, although that might be done by a public Department, as it had been proposed they should, it had generally been considered that it was more economical to leave them to the agents. With regard to the force in the Mauritius, it was one thing to have it reduced by sickness in time of peace, and another to reduce it permanently by one-half. The French had much the same garrison at Bourbon that we had at the Mauritius, which island was assailable at two points, where it could be defended by 2,000 men. There were only two harbours in the island; the smaller could be defended by 300 or 400 men, and the main harbour could be equally well defended by 1,500 men, with suitable fortifications. Therefore, granted that it was expedient to defend the Mauritius, the garrison was not altogether useless nor insufficient. It might require to be increased in time of war, but it was strong enough in time of peace. If it were not held by such a garrison, and were consequently lost, it would require a considerable number of troops and ships to re-take it. He had heard it stated that during the old wars with France £15,000,000 worth of property was captured by cruizers and privateers issuing from the Mauritius. Our commerce had enormously increased since then; and where would be the economy of saving £200,000 a year, and then re-taking the island, with a diversion of force which might be inconvenient, and at a very considerable expense, in order to prevent far greater loss being inflicted on our commerce?

MR. BARCLAY said, that having resided two years in the Mauritius, he was able to affirm that the reduction of the garrison to 1,000 men would be most pleasing to the colonists, and would be a most acceptable relief to them. Personally, he thought the reduction might be made with safety, if the health of the remaining regiment were promoted by removing it from the town of Port Louis to a site already selected in a district of the island that was more salubrious. When privateers issued from the Mauritius, the island was self-supporting; but now, owing to the great cultivation of sugar, and increased population, the inhabitants depended for their subsistence upon the importation of rice from India; and, therefore the possession of the island depended entirely on maritime supremacy. The insalubrity of the island had been greatly exaggerated. A British regiment might be kept there with safety, and alone, or with a Sikh regiment, it would be sufficient for defence.

MR. CARDWELL said, that an important question had been raised—the employment of British troops in our distant colonial possessions, which absorbed 50,000 men. It was satisfactory that, since the Report of the Committee of 1862, continuous and considerable progress had been made in giving effect to the policy which the House meant to pursue on this subject. He had heard with pleasure the other evening the statement of his right hon. Friend the Under Secretary for the Colonies, that the last remaining regiment was to be withdrawn from New Zealand. It happened to be his duty to propose to the House the arrangements which led to this; andhe was glad the Ministers and Assembly of New Zealand had not elected the alternative offered to them of paying for the troops, but had decided upon their withdrawal. He was glad that the present Government were following the policy of their predecessors in this respect. In the course of last Session they were told the same view was being carried into effect by the present Government in regard to the Cape of Good Hope, and he cheerfully supported the policy, although no doubt at the Cape it must be pursued with caution and prudence. At the same time he hoped that the policy which had been firmly commenced, would be steadily and continuously adhered to. The question had been raised, whether we could not dispense with white troops in some colonies by substituting troops of a different race, not, he hoped, as a charge upon the Estimates of this country. He agreed with the hon. and gallant Officer opposite that if you wanted a service to be performed you would get it in the main performed more efficiently and cheaply by the employment of British troops; but the principle for which he wished to contend was that we should steadily go forward, declaring to the colonies that it is beyond our intention, as it is beyond our power, to furnish the men by whom they are to be defended. He said this on other than merely pecuniary grounds. Much was said about sanitary reforms and moral reforms that were to accompany our new system of recruiting, and to attract a higher class of men to the service; but if these things were to be done we must put an end to the plan of maintaining at one time 50,000 men in our colonial dependencies. For these reasons we must pursue, steadily and without check, the policy upon which we had entered. He felt convinced that the object of his hon. Friend the Member for Chatham (Mr. Otway) was not to diminish the British Army, but to bring it up to a higher point of efficiency, and he hoped that the reply of the right hon. Baronet the Secretary of State for War would render it unnecessary for his hon. Friend to go to a division.

MAJOR ANSON cordially concurred in what had fallen from the hon. Member for

Chatham with regard to the military expenditure for the colonies, and thought that the House should insist upon having a clear statement of the money which the colonists cost the mother country. The accounts were at present not worth the paper they were written on. There was also an absence of information as to the money value of our stores both at home and in the colonies.

Sir JOHN PAKINGTON, in reply, said, he must express his thanks and his satisfaction at the general tone of the remarks with which his Statement had been received. In reference to some observations made by the noble Marquess the Member for North Lancashire (the Marquess of Hartington), he begged to assure the noble Marquess that when he stated that no guns were provided for the fortifications earlier than last year he had no intention to impute blame to the late Government. Indeed, he agreed with the right hon. and gallant Member for Huntingdon (General Peel) that, considering the progress which had been made in the manufacture of artillery, it was fortunate that a large expenditure had not been previously incurred in furnishing guns for the fortifications. In reply to the question which had been asked as to the intentions of the Government with regard to the two branches of the new Army of Reserve, as proposed by the right hon. and gallant Member for Huntingdon last year, he observed that he thought he had made it clear that he fully intended to adopt the plan proposed by that right hon. Gentleman of forming an Army of Reserve out of the Line by giving an increased amount of bounty to the Militia, and raising the Militia to a full quota. He had also intended to say that the scheme contemplated leaving it open to soldiers to commute the latter part of their service in the Line for a certain amount of service in the Army of Reserve. He did not anticipate that any large number of men would be derived in that way; but in order to carry out the plan it was necessary that regulations should be drawn up, which, after General Lindsay was consulted with respect to them, would be laid on the table of the House. Surprise had been expressed that so few small arms had been converted. He had to state that it was intended to convert 160,000 in the course of the year. The conversion would cost 3*s*. each, and when these had been converted their whole stock would be exhausted and they would have to rely on new manufactures. With regard to the armament of the Militia, he had to observe that there were not sufficient breech-loading arms in store to provide the Militia with weapons of that description. A certain number of Militia regiments would be sent this year, as during last year, to Aldershot, and all those would be provided with breech-loading arms, but a greater number could not be furnished this year with breech-loaders. In fact, all the regiments of the Line were not at present armed with them. The regiments sent of late to India were provided with the new arms, but the regiments previously quartered in India were not yet furnished with them. In reference to what had fallen from the hon. and learned Member for the Tower Hamlets (Mr. Ayrton), he repeated that the four branches of the reserved force, instead of being as now under the superintendence of three officers of inferior rank, would be placed under one officer of much higher rank. His hon. and gallant Friend the Member for Oxfordshire (Colonel North) had fallen into a serious mistake as to what he had said on the subject of training boys or young men for the army in any schools which might be established. It seemed to be the impression of the hon. and gallant Member that these boys would be at once turned out as non-commissioned officers. He had no intention of conveying such an idea, although he had alluded to a recommendation on that subject contained in the Report of the Commissioners. He entertained a sanguine hope, however, that by altering the constitution of Chelsea School and of the Hibernian School in Ireland, those two great establishments would be enabled to contribute well-educated and well-trained boys and young men to the army. All he had intended to say was that if a number of these well-trained young men joined the army every year, they would form a valuable class from whom non-commissioned officers might be selected. The hon. Member for Chatham had made some remarks respecting the unnecessary extent of the War Office establishment. That was one of the points which were now being investigated, and he was ready to confess that in his opinion the establishment might be beneficially reduced, both in regard to numbers and expense. He therefore did not feel disposed to express dissent from the remarks of the hon. Gentleman. Great complaints had also been made respecting the extent of the Staff in some of our colonial establishments, and here again he was not disposed to defend the existing state of things; for he believed that, in some cases, the Staff was larger than was necessary. He would now turn for a moment to the Motion of the hon. Gentleman, which he trusted would not be pressed to a division. The number of men in the West Indies and the Mauritius was smaller than it had been for several years, and the Government would not feel themselves justified in proposing any reduction. The hon. Member had represented him as saying that the establishment in the Mauritius had undergone a considerable reduction, but this was not the correct way of stating the case. What he said was that last year, owing to the pressure of a great calamity and to a dreadful amount of sickness prevailing in the island, discretionary powers to remove a portion of the troops were given to the commanding officer there. He did not think, however, that as a matter of public policy it was desirable to reduce the number of battalions in that island. The policy of the present —as of the last — Government is to endeavour to make the colonies bear a fair share of the expenses of the military establishments kept up in them. In conclusion, he appealed to the hon. Gentleman not to press his Motion to a division.

Colonel STUART KNOX said, he wished to ask the right hon. Baronet, Whether he had taken into consideration the subject of granting pensions to the Quartermasters in the Militia in Ireland? There were, he believed, two quartermasters in Ireland who had been between fifty and sixty years in the service, and who could not retire because they would not be entitled to pensions. Thus the service was burdened with men who could not efficiently discharge their duty. In justice to them something ought to be done. He might add that their actual income was only £115 a year, including lodging money.

Lord ELCHO said, he would beg to ask the right hon. Baronet, Whether he could state to the Committee the exact number of arms which had been converted up to the present date; and, also, what the cost of each of the boys to whom the right hon. Baronet alluded was to be?

Mr. H. E. SURTEES said, he was not sure whether the hon. Member for Chatham (Mr. Otway) wished that the troops should be removed from the West Indies, or merely that the cost of maintaining them should devolve on the local authorities. In the latter event a fresh burden would be imposed on those islands, which had suffered so immensely for years past; and to show the inexpediency of withdrawing the troops it was only necessary to refer to what occurred in Jamaica two years and a half ago.

Sir JOHN PAKINGTON said, that with reference to the Question of the hon. and gallant Member for Dungannon (Colonel Stuart Knox), at present he had no intention of proposing any change with regard to quartermasters' pensions in Ireland. He was not able at that moment to reply to the Question of the noble Lord the Member for Haddingtonshire (Lord Elcho) as to the number of arms that had been converted. With reference to the supply of trained boys, he was sanguine enough to believe that he should be able to procure them without great expense.

Mr. OTWAY concurred in the desirableness of withdrawing the Amendment; but nothing that he had heard had at all altered his opinion as to the propriety of withdrawing our troops from the colonial out-stations, which now absorbed so great a number of them. It seemed to be a singularly difficult thing to make any reduction in the Estimates. At first he attempted to reduce the amount of expenditure, and to-night he attempted to reduce the number of men. But he could see the force of his right hon. Friend the Member for Oxfordshire's objection to a reduction of the number of men, and under these circumstances he did not think it would be right to put the Committee to the trouble of dividing.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

2. 880 Native Indian Troops.

3. £4,249,200, Pay and Allowances, Land Forces, at Home and Abroad.

4. £892,500, Commissariat Establishment, &c.

Mr. OTWAY hoped the right hon. Baronet would now report Progress, as he believed the hon. and gallant Member for Lichfield (Major Anson) had something to say on this Vote.

Mr. Alderman LUSK moved, that the Chairman report Progress.

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again upon *Wednesday.*

## MARINE MUTINY BILL

(*Mr. Dodson, Mr. Corry, Lord Henry Lennox.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Corry.*)

Mr. OTWAY said, he believed the Bill had not yet been printed, and he thought it was too late to discuss it on this occasion. He intended to raise a very important question — namely, the infliction of corporal punishment. He believed the Bill contained a clause enacting an application of corporal punishment, and he therefore asked the House to pause before reading the Bill a second time. He appealed to the right hon. Gentleman, on the grounds of the rights of Members not to push the second reading of a Bill which Members had not read.

Mr. CORRY said, it was not usual to print the Marine Mutiny Bill previous to its being read a second time and considered in Committee. Any objection which the hon. Member might have to the Bill could be brought forward in Committee if he would now assent to its being read a second time.

Mr. DARBY GRIFFITH objected to the principle of putting off opposition to measures until they got into Committee. It was part of the vicious system of which he had before complained. He also objected to the Bill being read a second time until Members had been furnished with copies of it.

Colonel W. STUART said, he held in his hand two copies of the Bill.

Motion *agreed to;* Bill read a second time, and *committed* for *Thursday.*

## REPRESENTATION OF THE PEOPLE (SCOTLAND) BILL—[Bill 29].

(*The Lord Advocate, Mr. Chancellor of the Exchequer, Sir James Fergusson.*)

COMMITTEE.

Order for Committee read.

Mr. KINNAIRD said, that this was probably the last opportunity which the Scotch Members would have of learning from the Government whether they intended to go into Committee upon the Bill before Easter. The right hon. Gentleman the Chancellor of the Exchequer had, in his Irish Reform Bill, departed from one of his cardinal principles—that of no disfranchisement; and it would save the Scotch representatives a great deal of trouble if the right hon. Gentleman would state whether he would carry out this principle of no disfranchisement in the case of the Scotch measure, and give Scotland increased representation in the manner specified in the Instruction of the hon. Member for Montrose. He should like to hear the opinion of the right hon. Gentleman upon the subject.

Colonel STUART KNOX said, it was the factious opposition of hon. Gentlemen opposite which had prevented the right hon. Gentleman bringing forward the Scotch and Irish Reform Bills. On this occasion, however, the hon. Member had been justly rewarded by seeing the Bill of the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) postponed, it being now later than half-past twelve, after which time the right hon. Member had said that he would not propose its third reading.

Committee *deferred* till *Monday,* 20th April.

## REGISTRATION OF WRITS (SCOTLAND) BILL. (*Lords.*) [Bill 62.]

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time.—(*The Lord Advocate.*)

Mr. KINNAIRD thought the House was entitled to some explanation of the Bill, which had been often proposed in previous Sessions and as often successfully resisted. He believed that it was now sought, by a great addition to the expenses of the country, in the shape of a wholesale pensioning of existing officials, to carry a measure which was regarded as unnecessary by the majority of his countrymen.

The LORD ADVOCATE assured the hon. Gentleman that he must have made a mistake with regard to this Bill. It had passed the House of Lords, but had never as yet been the subject of discussion in the House of Commons. It simply abolished the privilege which some persons now possessed of taking documents out of the Registry House—a privilege the continuance of which was deemed inadvisable; but it did not propose the appointment of any new officials, or provide for the pensioning of any members of the existing staff.

Motion *agreed to.*

Bill read a second time, and *committed* for *Thursday,* 23rd April.

### COMPULSORY CHURCH RATES ABOLITION BILL—[Bill 72].

(*Mr. Gladstone, Sir George Grey, Sir R. Palmer.*)

THIRD READING.

Order for Third Reading read.

Mr. GLADSTONE said, that an engagement had been entered into not to press the Motion after half-past twelve. The hon. Gentleman the Member for North Warwickshire (Mr. Newdegate), who was in his place, would, he presumed, object to its being proceeded with, in which case he would fix it for to-morrow.

Mr. NEWDEGATE objected to the Bill being pressed, as it had only been delivered that morning.

Third Reading *deferred* till *To-morrow.*

### GRAND JURY PRESENTMENTS (IRELAND).

NOMINATION OF SELECT COMMITTEE.

Mr. VANCE moved the addition of the names of Mr. Agar-Ellis and Captain Archdall to the Committee of seventeen already nominated upon the above question. He did so on the ground that Ulster had not been properly represented on it.

Motion made, and Question proposed, "That the Select Committee on Grand Jury Presentments do consist of Nineteen Members."—(*Mr. Vance.*)

Colonel STUART KNOX, as an Amendment, moved to substitute the name of Mr. Vance for Sir John Gray, on the ground that the North of Ireland was not sufficiently represented on the Committee.

The O'CONOR DON opposed the enlargement of the Committee to nineteen Members, believing that it was already inconveniently large. He had selected the names of the Committee with great care, and they had met the approval of the noble Earl the Chief Secretary for Ireland and the Members for the County of Dublin.

Mr. VANCE hoped, that one of the names, at all events, he proposed would be assented to by the hon. Gentleman.

Sir JOHN GRAY moved the adjournment of the debate.

Motion made, and Question put, "That the Debate be now adjourned." — (*Sir John Gray.*)

The House *divided*:—Ayes 17; Noes 18: Majority 1.

Original Question again proposed.

The O'CONOR DON then moved the adjournment of the House.

Whereupon Motion made, and Question proposed, "That this House do now adjourn."—(*The O' Conor Don.*)

Mr. VANCE said, he would not put the House to the trouble of another division; but would postpone his Motion until to-morrow.

Motion and Original Question, by leave, *withdrawn.*

### PERTH AND BRECHIN PROVISIONAL ORDERS CONFIRMATION BILL.

On Motion of The Lord Advocate, Bill to confirm certain Provisional Orders under "The General Police and Improvement (Scotland) Act, 1862," relating to the burghs of Perth and Brechin, *ordered* to be brought in by The Lord Advocate, Mr. Secretary Gathorne Hardy, and Sir James Fergusson.

Bill *presented*, and read the first time. [Bill 74.]

### PETTY SESSIONS AND LOCK-UP HOUSES, &c. BILL.

On Motion of Sir James Fergusson, Bill to amend the Law relating to places for holding Petty Sessions and Lock-up Houses, &c., *ordered* to be brought in by Sir James Fergusson, and Mr. Secretary Gathorne Hardy.

Bill *presented*, and read the first time. [Bill 75.]

House adjourned at One o'clock.

## HOUSE OF LORDS,

*Tuesday, March* 24, 1868.

MINUTES.]—Public Bills — *First Reading*— (£362,398 19*s.* 9*d.*) Consolidated Fund; Education (53).

*Second Reading*—Fairs (Ireland) * (47); Poor Relief (39).

### THE NEW PUBLIC OFFICES.

QUESTION.

Lord REDESDALE wished to ask, Whether any Arrangements have been made for proceeding in the present Year with the Buildings for Public Offices on the vacant Ground adjoining Downing Street; and, whether Plans have been prepared for the Occupation of the Ground in Parliament and King Streets (for the Purchase of which Powers have been obtained from Parliament) by Buildings in connection with those already proposed or otherwise, or for the Completion of the

Downing Street Front of the Council Office? Their Lordships and the inhabitants of the metropolis must regret to see these buildings and the piece of ground adjoining Downing Street unoccupied for so long a period. The ground having been purchased between King Street and Parliament Street, so as to get a new frontage and widen that part of Parliament Street; he believed that no plans had yet been prepared for the occupation of that ground. With regard to the arrangement of public offices, very large sums were being paid as rent for highly inconvenient places, while these large vacant spaces remained unbuilt upon. He wished also to direct attention to the state of the buildings and arrangements between the offices facing Whitehall and those in connection with the buildings of the Foreign Office and India Office. He believed there would be extreme difficulty in making those buildings complete, unless Downing Street were stopped up, and unless a passage were carried through an archway. Under these circumstances, he wished to know whether any plans had been prepared for the erection of these buildings, and also how those offices were to be appropriated? He was told that it was intended to pull down the Colonial Office before any new offices were built for the transaction of the business. Now that the Foreign Office had got a new building the other office was to be transferred to the place which had been occupied by the Foreign Office. He thought this was very bad economy, and objectionable in many respects. According to the present arrangements, if they widened Parliament Street they would only widen the north end, leaving the other half nearest the bridge without any widening at all. This would not be creditable to the Government, and would be inconvenient in many ways to the public.

The Earl of MALMESBURY said, that if we had the advantage of possessing in London a Prefect like Baron Haussmann he would no doubt beautify this town in the same way that he had done the city of Paris. Under the rules of our Constitution this, however, was quite impossible, and one of the first virtues we must exercise was that of patience. The only information he could give his noble Friend was that the vacant space between the new Foreign Office and Parliament Street was to be built upon for the Colonial Office, and that Mr. Scott was to be the architect. The frontage of the new buildings, for the foundation of which £10,000 had been voted, and which was sufficient for the present financial year, would extend rather further than King Street, and not so far as Parliament Street, so that Parliament Street would be widened at that point. His noble Friend truly said they would then have a street much wider at the north end than at the south; but, of course, they looked forward to the country buying the rest of the ground between Charles Street and George Street, facing St. Margaret's Church and Westminster Abbey, and then the new street would be carried on with the public buildings in one uniform line. The House of Commons had, however, not yet granted the necessary funds for this expenditure. With respect to the frontage opposite the vacant ground of the Privy Council Office, that was no doubt completely obscured at present; but he had no doubt that plans would be prepared to alter that defective appearance. It was not for one Government to find fault with another on this matter. They all wished to see the public offices suitably completed for the sake of the appearance of the metropolis. But they could only work with the materials they possessed, and it rested with the House of Commons to say what expenditure it would devote to the purposes alluded to by his noble Friend.

Viscount HALIFAX wished to know, Whether the buildings on the other side of Charles Street were to be proceeded with?

The Earl of MALMESBURY said, that the Home Office, as well as the Colonial Office, was to be built on the vacant ground to which the noble Lord (Lord Redesdale) had referred; but that no plan had been determined upon at present for building on the ground on the other side of Charles Street.

Lord REDESDALE said, there would be nothing more miserable than a Vote of £10,000 for the foundation of the building. What was the use of laying out money in driblets in this way? The Government were paying a high rent for the house in which the business of the Foreign Office had lately been transacted, and it was now to be occupied by the Colonial Office. The whole arrangement seemed to him to be most unfortunate. They had gone to enormous expense in purchasing this ground for public offices, and now instead of building upon it they were paying very high rents for other buildings. The Government bought this land piecemeal, and the result was that, as each purchase increased the value of the ground adjoining, they had to pay an improved value for every subsequent purchase. He hoped that some Member of the other House would take up that subject, and deal with it in a more efficient manner than it would be possible for their Lordships to do, so that credit still might at length be done in the matter.

### EDUCATION BILL.—[H.L.]

PRESENTED. FIRST READING.

THE DUKE OF MARLBOROUGH rose to call the attention of their Lordships to the subject of Public Elementary Education. The noble Duke said, My Lords, I rise for the purpose of bringing before your Lordships the important subject of which I have given notice, which has occupied the anxious attention of Her Majesty's Government, and to which I now entreat your Lordships' calm and patient attention. On a matter of this importance I cannot do better than commence by quoting a passage from Her Majesty's Speech at the opening of Parliament. Her Majesty said, she trusted that Parliament "would approach the subject of popular education with a full appreciation both of its vital importance and its acknowledged difficulty." My Lords, there is scarcely any subject which ought to be so tenderly treated as that of education. Whether we consider its vital consequences, or whether we consider the vast amount of feeling and voluntary efforts that is enlisted in its support, we must upon every side acknowledge that it is one in which the minds of very many persons are deeply interested, and therefore, if we should take a false step, or arrive at a hasty conclusion, we might commit an irretrievable error, and we might, instead of forwarding those objects which we must all have at heart, retard the progress of elementary education in this country, and do irremediable mischief. Many are the advantages which follow from the conflict of parties in this country. It cannot be doubted that these conflicts are productive, to a great extent, of public freedom and the elucidation of truth, and are, upon the whole, conducive to wise and prudent legislation; but if there ever were a subject upon which I might claim and entreat that the views of public politics might be laid aside, and that the hatchet of discord might be buried, it is upon this subject of public elementary education. I believe that many of your Lordships will coincide in that opinion, more especially as noble Lords opposite have at the present moment raised a question of vast importance, and one which will occupy party discussion for some considerable time to come. I trust your Lordships will approach this subject free from these party feelings, and that you will give to it your unbiassed consideration, with a view to the promotion of the real interests of the country. The Government, in considering this question—one to which they felt their attention was imperatively called—have felt that, in order to propose any measure to Parliament which should be of a satisfactory character, it would be necessary not to look merely at one phase of it, or that which embodied or embraced its most salient features, but to take a view of the whole subject, and that whatever measure the Government might propound for the consideration of Parliament, it ought to bear upon the face of it something of the character of a national system—a system which might become a part of the permanent legislation of the country. Your Lordships are aware that we are not for the first time beginning to deal with this question—we are not, as it were, attacking a desert ground, or implanting a system of education in this country; our task is to review what is now in existence, and to endeavour to frame a plan which shall be the foundation of a national system. In bringing this question before your Lordships, it is necessary that I should trespass for some time on your time and patience, for the purpose of stating what may be assumed to be the present state of education in this country. In asking you to change to some extent the present system, it is only fair to consider at the outset what is that system, and what are the wants which we have to supply. Now, in the discussions which have taken place on this subject, the Report of the Royal Commissioners of 1861 seems to me to have been strangely overlooked, yet I do not suppose a more exhaustive investigation was ever made into any subject than was made into education by that Commission, commonly known as the Duke of Newcastle's Commission. According to that Report, the number of children whose names ought at that date, in proportion to the population, to have been on the school books, was 2,655,767; while the actual number on the books was 2,535,462, showing a deficiency of 120,305 who were supposed to be without any school instruction whatever. They added that 321,768 of the 2,535,462 were above the condition of those commonly comprehended in the term poorer classes, and therefore were beyond the range of their inquiry. Deducting these from the number on the school books, there remained 2,213,694 children of the poorer classes who were then receiving elementary instruction in day schools. They then compared these figures with the proportion in foreign countries—particularly in Prussia, which is supposed to have attained great results in consequence of the operation of a compulsory system—and they reported that whereas in that country 1 in 6 of the population attended school, in England 1 in 7 or 1 in 8 of the population were at school. They proceeded to point out the remarkable progress which had been made since the commencement of the present century. They stated that in 1803 the estimated number of day scholars was 524,241, or 1 in 17½ of the population; in 1818, 674,883, or 1 in 17¼; in 1833, 1,276,947, or 1 in 11¼; and in 1851, 2,144,378, or 1 in 8·36; while in 1858, according to their own Returns, the proportion was 1 in 7·7. With this statement before us we cannot deny that great progress has been made in education, and I think we should be committing a very great error if we should run away with the notion that the wants which have to be supplied are so great as to demand any violent or extraordinary remedy. I believe those wants are being investigated, and will become fully known; but I deem it right to combat the idea that the educational wants of this country are so enormous as have been represented, for such statements give the go-by to all those efforts which have been and are being made throughout the country. I will now refer to a more recent Return obtained by the National Society, which is accustomed to prosecute a decennial inquiry into the state of education in Church of England schools, and the results which have lately been disclosed are, on the whole, very satisfactory. It is true that they relate exclusively to Church schools, but the position occupied by the Church of England in the field of education is such that the statistics of these schools afford a very good criterion of what is being generally done for the promotion of education. I will take three specimens of counties, which I have selected more or less at random out of this Return, to show the progress that has been made. First of all, taking an agricultural county, Berkshire, I find that in 1856-7 the number of day scholars at Church of England schools was 15,125; in 1866 it was 18,469; or in the former year 1 in 11·2, in the latter 1 in 9·7 of the population. In the county of Chester, which is partly agricultural and partly manufacturing, I find that in 1856 the number of children at those schools was as 1 in 17 of the population; in 1867 it was as 1 in 14. Taking a county which is the type of a great manufacturing one, where perhaps the Church might be supposed to have less influence and educational establishments to be less prominent than in other and more agricultural counties, I find that in Lancashire, in 1856, the proportion of children in Church Schools was as 1 in 23; in 1866 it was as 1 in 19. These Returns show the great progress which has been made with regard to Church of England schools. I will not detain your Lordships at any length by quoting more extracts than may be necessary; but there is one which I would wish to read with regard to Cheshire, in which Returns have been obtained, not only from Church of England, but also from undenominational and Nonconformist sources. The statement of the National Society with respect to that county is this—

> "Returns to the National Society's statistical survey have been received from all the parishes and ecclesiastical districts in Cheshire except eight. Eighteen parishes are destitute of Church, national, or parochial week-day schools; three, however, of these have dames' or cottage schools, four are provided with education in schools in neighbouring parishes, while in the remaining eleven parishes there are, so far as the Returns show, no Church week-day schools of any kind, nor do the Returns specify the means, if any, by which the children obtain education. A complete numerical statement of week-day education at this moment in Cheshire is easily attainable. In Church week-day schools there are, as ascertained by actual enumeration, 36,970 scholars; in Roman Catholic week-day schools there are at the present time 5,669; in Wesleyan (Old Connexion) week-day schools 4,382; in British and all other week-day schools in Cheshire, under committees, there were in 1858, as ascertained by the Royal Commissioners, 6,291 scholars, which for the present time is, of course, much under the actual numbers. The total number, therefore, in all week-day schools under committees is 53,312. But the scholars in private adventure week-day schools must be added. Taking the proportion of such scholars to those in schools under committees, as ascertained by actual enumeration by the Royal Commissioners, and adding the result—namely, 27,377—to the above-mentioned 53,312, the total number of children in week-day schools of every description in Cheshire may be safely taken at not less than 80,689, which in a population of

536,364 for Cheshire, as estimated by the Registrar-General in December, 1866, gives a proportion of 1 week-day scholar to every 6·6 of the entire population of the county."

That may be considered a somewhat favourable statement, but it is one to which some attach very considerable importance, and which we may fairly enlist as an argument in support of the contention that the state of education throughout the country, though deficient in some respects, is not so deficient as to call for those alarming and perhaps over-strong measures which have been proposed in order to afford a complete and efficient remedy. In looking at the various modes in which it is proposed to supply the educational wants of the country, there are three heads under which we are brought to consider them. The first of these is that great system which is already in operation — namely, that of voluntary efforts aided by Government grants; the second is that system which may be applicable to the same ends, either in substitution for the first or as auxiliary to it—namely, a system of voluntary initiation which, instead of being supported by public and private subscriptions, would be maintained by public rates; and the third would be one which would depend more upon Government action. Instead of leaving the initiation with respect to education to individuals, it would throw it rather upon the central Government, which should take under its cognizance the general educational wants of the country, and of itself apply the remedy, if not applied by local and private efforts. I am bound at the outset, in stating the views of Her Majesty's Government to your Lordships, to say that we have had very fully under our consideration the second of these systems—namely, that of providing for education by means of voluntary efforts aided out of the public rates. My Lords, it is impossible to deny that there are great difficulties connected with the adoption of that system. I do not say that such a system may be ultimately impossible. I do not deny that hereafter, perhaps, if all efforts fail, it may be necessary that some such system be put in practice. But I think I am bound to state the great difficulties which encounter such a proposal—difficulties which it is impossible not to recognize, which it would be the extreme of impolicy to ignore, and which any Government framing a measure for the public benefit would fail in its duty if it did not take into its most serious consideration. In drawing your Lordship's attention to this subject I must again advert to those very valuable investigations which were conducted by the Duke of Newcastle. The subject of local parochial rating was one to which the Commissioners directed their especial attention, and the conclusions they came to are contained in this passage—

"It is undoubtedly true that a compulsory system of parochial rating would establish school buildings, and supply the means of payment for education in all parts of the country more rapidly than any other system. But though these advantages are great, they would not necessarily secure the means of imparting a good education; there is no reason to doubt that they might be obtained, though not so immediately, by a different method; and the very fact of their being gained immediately might give rise to the evils which attend upon the premature establishment of a system for which the country is not prepared. Parishes are, indeed, seldom unprovided with school buildings, though they often require improvement; and little would be done, either by an increase of buildings, or even of educational funds, unless it were accompanied by the establishment of an efficient system, unless the management were placed in the best hands, and unless security were taken for the ability of the master and the energy of his teaching."

My Lords, they sum up their objections to the local parochial system of rating under the heads, first, of want of local interest. They say that—

"Rates are also a proper fund for expenses in respect of which it is desirable to exercise vigilant and minute economy, and they are accordingly charged with the support of paupers. The support of a good school does not fall under either of these heads. No doubt it is a matter of immediate local interest and advantage, but it is not at present felt and acknowledged to be so by the great majority of persons contributing to the rate. The whole history of popular education in England shows that the contrary is the truth. What has been done towards its advancement has been done by a charitable and enlightened minority, assisted by the Government."

That goes to the point of the initiation of schools depending upon local rating and the will of the ratepayers. They then go on to state what will be patent to most of your Lordships, that if we look to the administration of rates generally it is not characterized by that liberality which would be necessary to secure a supply of good and efficient schools. There is another point also to which they draw attention, and that is with regard to the appointment of teachers. On this point they say—

"The experience of the majority of workhouse schools leads us to fear that the consequence of putting the management of the schools into the hands of the parochial bodies would be that trained teachers and pupil teachers would in a great measure cease to be employed, and that the whole standard of elementary education would be lowered. There exist, indeed, some excellent schools for pauper children; but in most cases it is only under pressure from the Poor Law Board that the Boards of Guardians have been induced to appoint competent teachers. When left to themselves, they almost always made unsatisfactory appointments; and though there are special difficulties connected with pauper education, the way in which it has been generally managed by the Boards of Guardians is certainly not encouraging as evidence of the fitness of similar bodies to undertake the management of elementary schools."

There is another difficulty which I must mention, and that is the religious one. We know, my Lords, how strong is the feeling that religion should always form a part of elementary education. I believe that is a feeling so engrained in the minds of the people of this country that nothing can remove it, and I fear that no system of education that could be proposed would be likely to be accepted or be successful in its application if it ignored that great fact upon which the Church of England and the Dissenting communities alike insist—that religion should form part of the education of children. Bearing this feeling in mind, the Commissioners state that very great difficulties would arise if a system of general rating were adopted, which would involve questions relating to the management of schools in which religious matters would have to be entered into. They state that—

> "The clergy of the Church of England look upon their own denomination as the established religion of the nation, and they would feel that that fact gave them a right to a leading part in the management of any general system of education established by the State. A large proportion of the Dissenters, on the other hand, disapprove any connection between the Church and the State, and entertain conscientious objections to conferring upon the clergy, as such, any official connection whatever with public education. If such a position were conferred upon them by law, it would be felt to be exclusive, and the exercise of the powers which it conferred would be scrutinized with jealousy, and would be a constant occasion of bad feeling and disputes. If, on the other hand, it were withheld the clergy would feel themselves aggrieved, and would consider that the State had not recognized their claims. They would thus dislike the system, and would probably be reluctant to give to it that cordial co-operation which would be so important as to be almost indispensable to its success."

In the view of these difficulties, which presented themselves to the Commissioners of 1861, the plan they proposed was not one which derived funds from local rates. Looking to the difficulties of management, as well as the probable illiberality of ratepayers, they felt it absolutely necessary to spread their system over a wider area, and they proposed that whatever aid was to be given to schools deriving aid from the State should be given on the area of the county rate, and that the county rate should be the fund from which the payments should be made. But the Commissioners also kept in view the great fact that whatever was to be done should not in any degree interfere with the support given to schools by subscriptions and by the school pence, and that the aid given should supplement the funds thereby obtained together with the aid given by the State. How that system was likely to be received in Parliament, and what was the opinion of it entertained by the Government of that day, may be gathered from the words of Mr. Lowe, in reply to a question which was put to him when he was giving evidence before the Committee presided over by Sir John Pakington. The plan then under consideration, it should be remembered, was one likely to succeed, if any plan could succeed; it was one framed upon the largest, the most moderate basis, and one which, if they had thought it possible to carry, would have been certainly adopted by the Government of that day. But your Lordships shall hear what was Mr. Lowe's answer when asked why it was not carried out. The question was—

> "Have you ever considered whether the extension of education throughout the country might be assisted by any form of local organization?
>
> "Answer.—Yes, in the form which was suggested to us in the Report of the Royal Commissioners, when it was thought that it would be proper to form county boards, and to have a sort of supplementary agency out of the county rate. We decided that that plan was impracticable; we thought it would be impossible to persuade the House of Commons to agree to it."

Mr. Lowe afterwards added in the House of Commons—

> "That being so, I am not, I confess without my doubts as to the figure I should make if I were to come down to the House and propose to impose this burden on the county rates, and I should, I must admit, much prefer that the task devolved on some one else."

That was his opinion as to the feasibility of the moderate plan proposed at the time. Since then a different system has been put forward. The result of the Commissioners' Report was the production of the Revised Code. By means of that Code the aid which the Commissioners contemplated giving out of the county rate was granted from the public Exchequer, and it was supposed that by this system of paying for results, in addition to subscriptions and the school pence, an average of 15*s.* per child would be provided for the purposes of national education. What has been proposed now in view of a general system of rating? It would not be proposed, as in 1861, to allow rates to supplement that which was already in existence in relief of the public funds, but it would be proposed to establish rates in lieu of private subscriptions, and in many cases the school pence. Now, I will trouble your Lordships with a remarkable Return which has been prepared for me showing what these local efforts are, and what is the amount of school pence under the present system, which, in these two particulars, would be almost entirely superseded if you adopted a system of general rating. From this Return I find that in the purely agricultural counties there are 2,010 schools, with an average attendance in the year ending August 31, 1867, of 195,136 scholars; the average amount of school pence paid per scholar is 6*s.* 7½*d.*, and the average amount of voluntary contributions per scholar is 9*s.* 5¼*d.*; the total being £64,478 5*s.* 5*d.* a year of school pence, and £92,103 7*s.* 7*d.* of voluntary subscriptions. In the manufacturing districts, the average school pence per child was 9*s.* 4¾*d.*, and the average private subscriptions 5*s.* 5*d.*, making a total of £100,256 1*s.* 1*d.* in school pence, and £57,810 3*s.* 10*d.* voluntary contributions, showing a much larger amount of school pence and a smaller amount of voluntary contributions than in the agricultural counties. In the mixed districts, the school pence averaged 7*s.* 10¾*d.* per child; the voluntary contributions, 8*s.* 8½*d.*: showing a total of £74,625 6*s.* 2*d.* in school pence, and £82,259 12*s.* 11*d.* in voluntary contributions. This was for the Church of England schools. In the British schools, the average of school pence per child was 10*s.* 7½*d.*; voluntary contributions, 5*s.* 8¼*d.*: giving a total amount paid in school pence of £94,989 13*s.* 3*d.* and in the voluntary contributions, £50,843 17*s.* 1*d.* The Roman Catholic schools showed an average of 4*s.* 11½*d.* per child in school pence, and 6*s.* 2¼*d.* in voluntary contributions: making £13,674 6*s.* 10*d.* paid in school pence, and £17,118 5*s.* 8*d.* in voluntary contributions. The grand total for England and Wales is—average school pence per child, 8*s.* 4½*d.*; average voluntary contributions per child, 7*s.* 6¼*d.*: total school pence, £390,907 13*s.* 11*d.*; total voluntary contributions, £351,598 8*s.* 4*d.* My Lords, I contend that in the face of these facts it would not be proper to establish any system that would have the slightest risk of imperilling the continuance of those great efforts which show how strongly impressed are the minds of both parents and benevolent persons throughout the country with the value of education, and how, in fact, this feeling has created and maintains a most inestimable system at the present day. No doubt, other plans have been proposed. The noble Earl opposite (Earl Russell) brought in a Bill in 1855 for rating in boroughs; and many years ago Sir John Pakington proposed to introduce a general system of rating. All these plans invariably had in view the desirability of not imposing a system of rating upon those schools which did not wish to put themselves in union; but, at the same time, they devised a plan by which certain school unions might be created; certain schools putting themselves in union with other schools, and becoming participators in the rate. That might have been very well and plausible in theory, but the result must inevitably have been that the system would in a short time have absorbed all schools into its action, and have destroyed the voluntary contributions received in the district. Few people, when obliged to pay rates for educational purposes, will be inclined to contribute by voluntary subscription towards the same object. The result will be that these subscriptions will fall off. Schools before supported by voluntary aid will compare the flourishing rate-aided schools with their own; they will abandon the system of voluntary effort and self-management under which they have hitherto existed, and will be driven by a process of starvation to come into union. If that is is done, we shall have come to that system of local rating which the Commissioners of 1861, after lengthened inquiry and patient consideration, declared to be inadmissible and detrimental to the best interests of education. The only other point I have to notice is the plan proposed of raising rates over limited areas, and merely for local purposes. Here we are met with a very great difficulty in regard to what shall be the denomination of the schools. I see no conclusion, no escape out of the difficulty that would be created by such a plan, other than that of the schools being secular schools. That is the proposal made by the right hon. Gentleman

(Mr. Lowe) who has, I think, fairly viewed the difficulties of this position. He has seen that if you have schools supported by local rates, whether they be few or many, it would be exceedingly difficult to escape from the position that they must be secular schools. I do not think we are at present prepared to adopt a system of purely secular schools supported out of public rates. The noble Earl opposite (Earl Russell), in the proposals he has made from time to time in regard to the provision for education in boroughs, has made out a very strong case for the adoption of remedial measures. The case of boroughs, however, is to a great extent different from that of rural districts. In boroughs you have teeming populations of children in conditions of life to which they are rarely subjected in rural districts. Let it not be forgotten that in boroughs the case presents great pecuniary difficulties. In boroughs, the burdens already imposed upon the ratepayers are very great, and of an increasing character. The burdens which press very heavily on the ratepayers include the poor rates, borough rates, lighting and watching rates, general district rates, rates levied by Improvement Commissioners, burial rates, water rates, and, in some instances, church rates. By way of illustration, I may state that they amount to the sums named in these boroughs: — Blackburn, 3*s.* 2*d.* in the pound; Devonport, 5*s.* 3*d.*; Gateshead, 7*s.* 0¼*d*; King's Lynn, 5*s.* 11*d.*; Poole, 6*s.* 4¼*d.*; and Plymouth, 6*s.* 11¼*d.* The pressure of administrative burdens is, in many instances, augmented by the interest upon the large sums which the boroughs have from time to time borrowed for local improvements. It may not be altogether in form to allude to a speech made in the other House of Parliament a few days ago by a right hon. Gentleman who has paid the greatest possible attention to the subject. Mr. Goschen states that, out of 211 corporate boroughs in 1856, 169 made returns, and in 1866 only 75 did so. From these he gathered that in Bolton the borough rate had risen from £7,500 in 1857 to £10,500 in 1866; that the debt had risen in the same period from £188,000 to £270,000; that in Warrington the borough rate had increased from £6,000 to £10,000; and that Bradford, Birmingham, Oldham, and one or two other towns exhibited similar results. Sanitary measures are being pressed upon corporate authorities. Under Acts that are passed and passing they will be obliged to incur considerable outlay; it may therefore be inferred that the burdens on borough ratepayers, even the poorest, are on the increase; and it therefore becomes a serious matter to propose any augmentation of the burdens borne by the inhabitants of populous places. We have already various educational enactments, such as the Industrial Schools Act, which applies to boroughs and rural districts, the Reformatory Schools Act, and Workhouse Acts, by which children are educated in workhouses out of the rates. The Industrial Schools Act may be extended, and the necessities of the country may hereafter require a further resort to rates in the interests of education; but under present circumstances we should be exceeding our duty if we proposed any additional compulsory burden for the purposes of education. There is another reason why we should pause before we make such a proposal. It is well known that there is a very large amount of property in charitable endowments, and there ought to be no delay in enquiring how far these charitable endowments may be made applicable to education. From information furnished to me the other day by the Charity Commissioners, I find they consider that about £160,000 a year of charity income may be applied to the purposes of elementary education. The amount already applied to schools is over £1,000,000 a year. The value of many charities injuriously applied in gifts to persons who do not require relief will give another large sum, which may with advantage be applied to the purposes of elementary education. Having before us all these facts—the Report of the Commission of 1861 as to the difficulties of a general system of rating, the differences of opinion that exist upon the subject, and the impossibility that there would be of enforcing a system of compulsory attendence—I do not think that the country is ripe for either a partial or a general system of compulsory rating. Whatever future investigations may prove to be necessary, or future exigencies may prove to be desirable, the Government are not prepared now to propose a compulsory system. Having stated what we are not at present prepared to do, I will ask your Lordships' attention to that which we propose to do. I would first direct your Lordships' attention to that great system which has been in operation for nearly forty years promoting the education of the country. No one can consider the effects that system has produced, how it has won the national sympathies and popular estimation, how it has been the parent of all that has been accomplished in the way of education, without feeling that that plan was founded in great wisdom, and that it is worthy of being retained as part of a national system. In a remarkable summary of what has been effected by it, the Commissioners of 1861 say—

> "Although essentially a voluntary system, and demanding great previous exertions as a condition of giving aid, it has within twenty years of its commencement either led to the foundation of or greatly improved 9,388 schools, or about two-fifths of the entire number of existing public schools, which contain 1,101,545 scholars, or about half the number now under instruction in the whole country. It assists largely in supporting thirty-two training Colleges, the greater number of which it helped to establish; and while the Government has itself expended on national education, in round numbers, £4,400,000, it has been met by voluntary subscriptions to the amount of £8,800,000. Its system of inspection has raised the standard of education, and by the careful training of its teachers, and, above all, by the introduction of pupil-teachers, it has supplied the best means for teaching in schools."

Passing on to a more recent date, I will quote figures bearing upon the same results from a remarkable pamphlet by Sir James Kay Shuttleworth. Speaking of the Minutes of 1846, which gave a permanent character and stamp to the Committee of Privy Council on Education, he says—

> "A great impulse was thus given to the exertions of the religious bodies. The majority of them entered earnestly into this co-operation. The whole sum of the Parliamentary grants, which had amounted in the seven years between 1839 and 1846 to only £305,000, rose to an outlay of £6,405,862 in the sixteen succeeding years. The sum of the grants for building, enlarging, and furnishing schools amounted in 1866 to £1,608,100, and with this aid 6,801 schools, capable of accommodating 915,516 scholars, had been built. The annual grants towards the expenses of maintaining elementary schools since 1839 had become in the aggregate £5,297,210, of which £3,714,899 had been directly applied to the keeping up of an efficient staff of teachers. These aggregates represent only one-third of the actual expenditure, which exceeded £20,000,000. At the last annual inspection 1,234,491 scholars were present. The grants towards the support of training Colleges — which were in the ratio of two-thirds of the annual outlay—amounted in 1866 to £1,046,443. All notice of some small subordinate objects of expenditure is omitted. The cost of administration has been £912,647, of which the greater portion arose from the inspection and examination departments, by which the efficiency of schools was so greatly promoted."

I will also trouble your Lordships with some figures, in order to show you what has been the aggregate amount contributed up to the present time by way of school pence and other private and voluntary subscriptions, in aid of the system administered by the Privy Council. And first of all I must state what is the number of scholars in attendance in schools aided by the State compared with the number who attend unaided schools. The number of public schools is now about 60 per cent of the whole, and therefore it will be seen that the proportion of one-half has been on the increase. Looking at the statement of the outlay for buildings, &c., from 1839 to 1867, I find that there has been granted out of the public purse £1,362,450, while there has been subscribed from local sources £3,126,442. In regard to normal schools there has been granted out of the public purse £118,627, whereas no less than £278,842 has been privately subscribed. And in regard to the annual expenditure of schools in the year 1867 the public purse granted £390,486, while the school pence and voluntary contributions amounted to £856,376. The total amount granted out of the public purse for buildings and maintenance amounted to £499,434, and the private contributions to £833,008. We must also bear in mind that the system already in existence has by no means done its work completely, for there are a number of unaided schools which require its assistance, and which ought to be gradually brought within its operation. It is estimated that on these private schools £453,885 is expended annually in the form of private contributions and school pence. My Lords, I have also figures which prove how steadily the system administered by the Privy Council has extended its operations from 1859 up to the present time. In 1859 it appears there were 5,531 institutions brought under its operation; but in 1867 this number had increased to 7,577. Again, in 1859 there were 5,225 certificated teachers employed in these schools, while in 1867 there were no fewer than 10,510. Then I find that in 1862-3 the number of voluntary contributors who subscribed £5 and upwards was 8,281; but in 1866-7 their number had swelled to 11,051. In the former year the number of voluntary subscriptions under £1 was 70,285; and in the latter 99,875. Therefore, in considering the present system, we are bound to ascertain how far it may be possible to make it a part of a national system, and also to discover its peculiar defects, which it will be the duty of Parliament and of the Government to remedy. In the first place, it cannot be denied that there is some disadvantage in the present system, from the fact of its being liable to change. The system of the Code is a complicated one, and although it is true that the Code is annually laid on the table of both Houses, yet, in point of fact, the changes annually introduced into it very often escape the observation of Parliament. There is also another point which the Government have under their consideration, and I trust your Lordships will give your most earnest attention to it. The administration of public education in this country is not carried on as it ought to be. The great defect of the existing system is that it is not initiative, but merely follows in the wake of voluntary efforts. Now, my Lords, it is impossible, looking to the vast importance of the Department of Education, not to be struck with the fact that it is desirable to make some change in this respect, either immediately or at no very distant date. At present, the Educational Department has not only to administer the Grant voted annually by Parliament—which is done by the Committee of Council on Education—but also to superintend the very large and increasing Science and Art Department. This system is capable of vast expansion, and I have no doubt that considerable demands will be made from time to time on the Government of the day to extend and develope it. For instance, new Museums, or portions of those now existing, may be transferred to that Department. In addition to this there is the great subject of Scotch education, which must shortly engage the attention of Parliament. Then there is the system of Irish education, which cannot be said to be at present in a satisfactory state. Practically, the Government has no control over the large grants annually voted by Parliament for Irish education. They are administered by a local Commissioner, who is not directly responsible to the Government. The endowed schools of Ireland likewise offer a wide field for legislation. These schools were reported on many years ago, but no action has yet been taken in the matter; and, coming to a later period, we find that a most voluminous Report of the Middle Class Schools Commission has lately been laid upon the table. On the present occasion I do not propose to go into that Report, which embraces subjects of the widest and most important character. It would, indeed, be impossible for any Department of the State to take up the matter, unless it were specially organized for the purpose, and unless there were persons appointed by the Crown to take this great subject under their cognizance, and to initiate measures on their own responsibility. Having fully considered the subject, Her Majesty's Government have come to the conclusion that there is enough work and a sufficiently large field of enterprize to engage the attention of a special Department of the State, and it is therefore the intention of the Government to propose that Parliament shall empower Her Majesty to appoint a Secretary of State who shall have the whole range of educational matters under his consideration and control. We propose that he shall not only administer the grants now administered by the Privy Council, but also, on his own responsibility, look into the various subjects connected with the education of the country, and propose to Parliament such schemes as he may think are calculated to promote the cause of national education. Therefore, the first change we propose is to enable the Crown to appoint an additional Secretary of State for the Educational Department. In making this change we feel that it would also be desirable to give a greater permanence and a greater degree of security to those conditions on which the Parliamentary Grant is distributed. We therefore propose to put into an Act of Parliament those portions of the Revised Code which relate to the terms on which the Grant is dispensed. The Revised Code, as far as regards the grants made in aid of education out of the public purse, has now been some time in operation. It has worked well and given satisfaction to the public; and I believe experience has shown that the rate at which the funds of the State are applied in assisting voluntary efforts and on the results of examinations is not excessive. We propose that Parliament and the country should have the security of knowing what is the amount of public money that will be given for the support of elementary education; and that any increase of that amount should be regulated, not by any change which may from time to time be proposed by the individual Minister, but simply by the increase in the number of schools gradually brought under the operation of the system. At the same time we also feel that there are certain other changes which will be of a very important and very useful character. The first of these to which I will allude is this. It has long been felt—and I will not detain your Lordships by going over the figures, for I fear I have detained you long enough —it has long been felt that there are a large number of schools in existence which do not partake of the public grants. It has been our endeavour to discover the causes that have prevented those schools from sharing in the grants, and I think that two main causes have operated to a great extent in that way. One of them is that there are a great many Nonconformist congregations who have a strong opinion that the State should have no connection whatever with religious teaching; that it ought not to inquire into and ought not in any way to promote the religious teaching of the schools. Those bodies are not themselves in favour of a system of secular education; they conduct their schools according to their own religious tenets, yet they at the same time feel that from their conscientious convictions they are shut out from participation in the public grants, and they have failed to apply for the public aid which is afforded to other schools in consequence of their belief that the State, in requiring a connection with some religious denomination as a condition of receiving a share of the grants, is interfering with that which ought to be left entirely to their own free and voluntary initiative. The number of bodies who have been thus excluded is very considerable. At the same time, if those bodies were enabled by any change in the system hitherto followed to avail themselves of the public grants, it appears that they would do so to a very large extent. Mr. Baines (who represents the views of a large number of Congregationalists) delivered recently an address on the subject of elementary education, in which he said—

> "Our primary schools are supported not for our own advantage, but for that of the classes who are less favoured by fortune; at least nine-tenths of the school hours are devoted to the indispensable branches of secular education, and the payments made by the Government are exclusively for the successful results of that secular teaching, ascertained by individual examination of the children. Ought we to cripple and destroy our schools rather than accept those payments? I honour the motives of those who reply in the affirmative, but my own deliberate and revised judgment answers in the negative. Our own subscriptions pay much more than that part of the expense which is entailed by the religious instruction, and I think we may properly receive aid out of the taxes to which we ourselves have contributed for the teaching of reading, writing, and arithmetic to the children of our poorer fellow-countrymen. . . There can be no doubt that the intention of the Minutes of Council was to aid only schools in which religious instruction was given, and a school which is purely secular in its supporters and its teaching would be denied a grant. To this restriction and condition most, if not all, Congregationalists object,—not that they do not most highly value religious instruction, but that they think it ought not to be forced upon day schools as the condition of receiving grants."

My Lords, we have carefully considered the great change which has been made in the system of public grants by the Revised Code of 1861. That change established the principle that payments were to be made for the results shown by examination in secular subjects. Yet the noble Earl opposite, (Earl Granville) who is thoroughly conversant with this matter, will, I believe, bear me out when I say that in some of the schools, according to the management clauses, the Inspectors are bound to inquire into the religious instruction; while in regard to certain other schools they are not so bound. Therefore we feel that the great change introduced by the Revised Code in 1861 practically comes to this—that you do offer payment to the schools on the results of the secular teaching. We have therefore arrived at the conclusion that the modification which may be made in the Revised Code, as it will be embodied in the Bill which I shall have the honour of laying on your Lordships' table, should be to leave out the existing condition which requires all schools aided by the State to be in connection with some religious denomination. We propose to give payments for results in reference to the secular teaching alone. We propose that where the Inspectors are bound not to inquire into the religious teaching of the schools they shall continue not to inquire into it. At the same time, where the Inspectors do inquire into the religious teaching, according to the management clauses which have been the subject of so much controversy, and which have been settled, we do not propose to interfere with those clauses, but to let the investigation into the religious instruction of such schools continue to take place. But we have come to the conclusion that when a school offers itself to be inspected, complying with the conditions as to sanitary arrangements, space, and all other requisites prescribed for its due conduct and management—when such a school offers its scholars for examination, when it passes that examination in reading, writing, and arithmetic, and when it satisfies the other requirements as to certificated and pupil-teachers, it ought not to be denied the benefit of the Grant. But in order that no mistake should exist on this subject, which is one of great interest to those who feel the importance of connecting religious teaching with education, and which is especially important in regard to Church of England schools, we propose to insert in the schedule of the Bill the management clauses which relate to inspection both in respect to Church of England schools and the schools of all other denominations. In fact, the management clauses of the Church of England, of the Wesleyan, the Congregational, the Roman Catholic, the Jewish, and other schools will be embodied in the schedules of the Bill exactly as they stand and are at present used by those various bodies. The only change which will be made will be this, that if a purely secular school presents its scholars for examination, the State will not refuse to examine and pay for the results of their teaching. I believe that will cause a large increase in the applications for a share in the grants. We have reason to believe that the number of schools brought under inspection by that alteration will be very great, but it is now impossible fully to estimate them. They will be mostly schools promoted by the Nonconformist bodies. I believe the impulse which will thus be given to education amongst those bodies will be very great, because, owing to the religious scruples to which I have referred, they have hitherto failed to build schools and to exhibit that amount of educational enterprize which, when they feel that the assistance of the State is within their reach, they will undoubtedly display. The next point on which we feel that some change is desirable is in regard to the poorer districts. I have already spoken of the schools supported by bodies which are more or less wealthy, and which are not receiving State aid; but there is another class of schools — namely, those in the poorer and small rural districts. There we find at present existing a very large number of unaided schools. Sir James Kay Shuttleworth says—

> "The unassisted public schools are far more numerous than those which are assisted, amounting to 15,952 schools, exclusive of 115 factory schools, containing 17,000 scholars, whereas the assisted public schools are only 6,897. They are inferior, however, in the number of the scholars; those on the books of the assisted public schools being 917,255, those on the books of the 15,952 unassisted public schools only 654,393. Some of these schools are unassisted because the managers or patrons reject assistance, either from religious scruples or because their patrons dislike interference. These obstacles, however, are comparatively rare, and are rapidly diminishing. The great cause which deprives schools of Government assistance is their non-performance of the conditions on which that assistance is offered, a non-fulfilment of which the principal causes are poverty, smallness of population, indifference, or, as it has been lately called, apathy."

Now, it cannot be denied that some of the conditions which are imposed on schools seeking to obtain assistance from the State press somewhat severely on the small rural parishes; and we are led to the conviction that one principal cause of those schools not receiving Government aid, and of the difficulties which they experience, is the condition with reference to certificated teachers. We do not propose to abandon the system of certificates. We regard that system as of the most essential and vital importance. We are of opinion that if we were to abandon the system of certificates altogether a great part of the sum voted for public education would be wasted. One conclusive argument against such a change is the necessity of maintaining the pupil-teacher system. The system of certificates exists in almost every country that has placed the education of its people upon a satisfactory and intelligible basis — in France, Switzerland, Prussia, Germany, and Holland. In all these countries the conditions with respect to teaching are more strict and severe than in this country. In some of these countries no persons are allowed to teach, either in public or private schools, unless they hold a Government certificate. Another objection to abandoning the system of certificates is that we should thereby lose that guarantee for good character and morality which it is most essential that teachers should possess. While we wish to see this system of certificated teachers maintained, I do not think that what I am about to propose will impair its efficiency. A good many schools in small parishes find a difficulty in complying with the requirements of the certificated system. We propose to take a limit below which schools may receive a portion of the annual Grant without the employment of certificated teachers. I say "a portion," because it would not be fair for them to receive the same proportion as the others. If the change we propose is carried out, it will not supplant the system of certificated teachers, but it would act as an inducement to those parishes, and enable them to start their schools, and when they have had experience of the advantages of the Government Grant, it will encourage them to obtain a larger share of the Grant. We propose to take the limit which is adopted in what is called Mr. Corry's Minute, which was laid before Parliament last year, and which gives a grant of 1*s.* 4*d.* per head for passing in an extra subject. That Minute requires that a pupil teacher shall be maintained for every forty scholars after the first twenty-five, instead of after the first fifty, as in other schools. The object of that Minute was to aid the smaller schools. We propose to take the same limit, and to direct that schools below sixty-five shall be enabled to apply for inspection. When the school Inspector has reported that a school is suitable to be inspected by reason of its cleanliness, its building, and its space, the school will be allowed to present its scholars for examination in reading, writing, and arithmetic, and to obtain payment of 2*s.* 8*d.* for each subject, the further amount of 4*s.* being only paid in schools which have a certificated master and mistress. This arrangement will, we trust, be the means of bringing many of the smaller schools into participation with the Parliamentary Grant. We also propose to make some addition to the Building Grant; and I will ask for the attention of your Lordships to a very remarkable Return on this subject. I find that in the year 1853 the Building Grant was 4*s.* per square foot of the school buildings. In 1860 it was reduced to 2*s.* 6*d.*, and a very remarkable falling off ensued. Between 1850 and 1860 the Grant for building increased from £34,713 to £111,274. Between 1860, when the amount was reduced to 2*s.* 6*d.*, and 1867, the amount fell off to £21,656. No doubt there were other causes to account for this reduction, because as so many schools had been built fewer remained to be erected. We consider, however, that it will be desirable to recur to the allowance of 4*s.* per foot for the Building Grant. Another change we propose to make regards evening schools. It is not very important, but we believe it will be of considerable benefit, as at present evening schools can only be inspected when they are held in the same premises as day schools which are already under inspection. We think that all evening schools which are properly reported upon, and which comply with the usual conditions, shall be open to inspection, and shall receive the grant whether they may be in connection with a day school or not. There is one other change of considerable importance. I refer to the Conscience Clause. Your Lordships are aware of what has hitherto been the practice in regard to the Conscience Clause. That has never been universally applied, except in cases where only one school can be supported in a parish, and where there is a sufficient proportion of Dissenters to make it apparent that their interests ought to be regarded. It was thought that a population of 900 and under could only support one school, and if it appears that one-sixth of the children at such school are the children of Dissenters, it has been thought equitable to apply the Conscience Clause in such cases. I think that where only one school is maintained in a parish the principle of a Conscience Clause is just and equitable. We think that the adoption of the Conscience Clause ought to depend upon there being only one school in a parish. We must remember that we are aiding denominational schools. We have never imposed, either upon the Church of England or upon the Wesleyans or the Dissenters, conditions that they were not disposed to accept. We have, on the contrary, desired to pay deference to their religious scruples. On the other hand, the Education Department, where only one school is maintained, in great part at the public cost, think that the Conscience Clause should be inserted in the deed. Objections, however, have been taken to the existing form of the Conscience Clause. I find, however, that the form has been taken from the Endowed Schools Act, which was passed with the sanction of the heads of the Church, and which enacts that—

> "The trustees or governors of every endowed school are from time to time authorized and bound 'to make such orders as, whilst they shall not interfere with the religious teaching of other scholars as now fixed by statute or other legal requirement, and shall not authorize any religious teaching other than that previously afforded in the school, shall nevertheless provide for admitting to the benefit of the school the children of parents not in communion with the Church, sect, or denomination, according to the doctrines or formularies of which religious instruction is to be afforded under the endowment of the said school.'"

The Wesleyan school precedent was to the same effect. It provided that—

> "No child shall in any case be required to learn any catechism or other religious formulary, or to attend any Sunday school or place of worship, to which respectively his or her parent or guardian

shall, on religious grounds, object; but the selection of such Sunday school or place of worship shall in all cases be left to the free choice of such parent or guardian, without the child thereby incurring any loss of the benefits or privileges of any school or schools the trusts whereof are hereby declared."

In the Jewish schools the clause is to this effect—

> "The religious instruction in the said school to be given according to the principles of the Jewish religion, but not to be made compulsory upon any scholar whose parents do not profess that religion."

In the Free Church of Scotland it is provided that no child shall be required to "learn any catechism or other religious formulary" to which his parents or guardians may object. In the undenominational schools the same words are used—"any catechism or other religious formulary." When, however, we come to the Church of England we find a grave distinction—namely, the insertion of the word "doctrine." The Conscience Clause in Church of England schools provides for the exemption of children whose parents may desire it "from attendance at the public worship, and from instruction in the doctrine or formularies of the said Church." Now, it is felt, and I think with much justice, that the word "doctrine" is a word of so undefined a character, and may have such a wide range of meaning, that it is unfair to apply it to Church of England schools when it is not applied to others. If a child cannot be required to learn a catechism or formulary, everybody knows what the exemption is; but if it is laid down that a child shall not be instructed in the "doctrine" of the Church of England, we may exclude religious teaching from the school altogether, for it may be said that the great doctrines of the Trinity and the Atonement are doctrines of the Church of England, though they are held by most other religious bodies. Considering that other denominations which have never objected to the principle of a Conscience Clause have felt it necessary to avoid the employment of the word "doctrine," and considering that in the case of the Wesleyan schools it is expressly stated that religious instruction shall always form a part of the school teaching, I think it is unwise and unfair to insist on the use of the word in the case of Church schools. The Government have come to the conclusion—which we believe will be generally accepted by the public—that in those cases in which it is desirable upon public grounds that a Conscience Clause should be inserted in the trust-deed of a school, two great principles should be observed—liberty on either side, the liberty of teaching and the liberty of withdrawal. Carrying out these principles, it is important that we should have a definite form of clause, not subject to change according to the opinions of any set of men who may be in office, but sanctioned and ratified by an Act of Parliament, which shall express, with the authority of Parliament, what it is by which the children shall be bound, and to what liberty they shall be entitled. The form we propose will be applicable to all cases where only one school exists, its object being to provide that the religious teaching shall not be interfered with, and that every parent shall have liberty to withdraw his child from teaching from which he dissents. It is to this effect:—It provides that the Secretary of State shall not have power to interfere with the religious instruction given in any school towards which a building grant has been made, unless the school be the only one available for poor children residing within a convenient distance, or unless there be any considerable number of children for whom no more suitable means of education are likely to be provided, and whose parents are likely to object to the religious instruction intended to be given, or to the worship intended to be used. In that case the trust-deed must provide that no child resident within the assigned limits shall be excluded from the school or deprived of its benefits and privileges on account of the religious persuasion of the said child, or of the parent, guardian, or other person having the custody or care of it, or on account of the withdrawal of such child from any part of the instruction given or worship held therein under the provisions hereinbefore contained, and that no such child shall be compelled to attend any Sunday school, or church, or other place of worship on Sunday as a condition of receiving instruction on week days; and any such parent, guardian, or other person as aforesaid shall have a right to withdraw such child from any lesson given, or form of worship used, or religious instruction given, in such school, upon giving notice to the principal teacher of such school that he objects to such lesson, or form of worship, or religious service on religious grounds. That is the Conscience Clause we propose, and such are the principles by which we have been guided. It only remains for me to mention a concluding provision in the Bill which we think of great importance. Although we have not deemed it proper to provide for a compulsory system of rating or for compulsory attendance at school, we think the Secretary of State should have the power of obtaining accurate information respecting the educational wants of the country, so that it may be laid before Parliament, and may indicate what measures are necessary to provide for any well-defined want. The Educational Returns that have from time to time been made have been admittedly imperfect, and we propose that the Secretary of State shall have power to order an Educational Census to be taken in any specified district. He will have the power of fixing the limit of value of the houses within which all children under a certain age are to be returned, and of requiring information of what school they attend, and what system of instruction is pursued. These Returns will be collected by means of the Registrar General's Department, and we regard this as an important step for facilitating any educational action that may be called for in the future. Constituted as the present Department is, and presided over by the President of the Council, who has many varied duties to perform, it would be difficult to set on foot such inquiries; but the change we propose will remove any difficulty on this head. Such, my Lords, is the measure which the Government propose, and which I now beg to lay on the table. We do not consider that it is a complete measure, because under the present state of circumstances it would be very difficult to frame a complete measure. We believe that we are proposing that which will lay the foundation of an ample system of education. We propose to confirm and place in a definite shape that which is already in existence. We propose to create a Department which shall have the responsibility of initiating measures that may be for the benefit of the country, and we propose to put into the hands of the new Minister all those powers which will be necessary to enable him to perform those functions. I trust that the plan is one that will be found to work well, and that it will be admitted to be as much as under existing circumstances can be provided. The noble Duke concluded by laying the Bill on the table.

Earl GRANVILLE: It will no doubt be more convenient to discuss the details of the Bill on the second reading; but perhaps your Lordships will allow me to offer a remark on one or two points. For more than twenty years I have heard the complaint constantly preferred by the Opposition against the Ministry, that Bills of importance have not been produced in this House, so that they might be considered by us in reasonable time. I remember Lord Aberdeen remarking that for fifty years he had been familiar with the same complaint. Now, the noble Duke (the Duke of Marlborough) has presented a Bill which, though I am not quite sure I can call it a very important one, is a Bill on a most important subject, and he has given us a most legitimate mode of discussing the question of education, which I think this House is fully competent to do. I am bound, therefore, to thank him for having introduced it in this House. The noble Duke made an appeal to this side of the House not to treat the Bill in a party spirit. My desire is not to do anything of the kind. Over and over again I have stated, publicly and privately, that I thought Her Majesty's present Government have peculiar opportunities for dealing with this subject; and I rejoiced, when I read the last Report collected by the noble Duke, that he had come into office at a time when the question was universally asked, whether we would allow the spread of primary education to become simply a question of time, or would adopt measures to accelerate it? I rejoiced when I heard the emphatic sentiments on this subject which had been put into Her Majesty's mouth by Her Majesty's advisers, and I rejoiced still more when I read in the papers the declaration of Lord Stanley on the subject—though I am bound to say that Lord Stanley has been somewhat unfortunate in prognosticating the spirit of the measures which the Government with which he is connected were about to introduce—wherein he stated in such strong and unmistakeable words the educational measure about to be introduced. But as soon as the noble Duke began his very full description of the present state of things it was evident that some change had come over the intentions of Her Majesty's Government. I can hardly think that some of the most distinguished Members of Her Majesty's Government will be of opinion that this is the answer which ought to be given to that inquiry which the noble Duke so fully described as arising from all parts of the country—namely, "What are the measures to be taken to accelerate the progress of education?" Circumstances have contributed to make this question of education one of vital importance both to political and non-political persons, For my part I do not feel that the measure introduced by Her Majesty's Government, unless great alterations be made in it, will serve to give a satisfactory answer to that inquiry of the country. The noble Duke referred to the statistics of the Royal Commission with respect to the amount of education given in this country; but he referred to facts, the fallacy of which has already been pointed out. The noble Duke said that, while in Prussia, one in six of the population were educated, in England we had arrived at the rate of one in seven or eight. Well, that would be a very satisfactory advance, though I do not see why any difference should exist. But what are the facts of the case? In our account we estimate all that are on the roll, and also take into account the infant schools; but that is not the way the calculation is made in Prussia. The consequence is that, in reality, we stand with respect to Prussia, not as having 1 in 7 or 8 receiving education, but 1 in 15. The noble Duke asked us not to treat this question as a desert — not to destroy, but to supplement. In that sentiment I entirely agree. I quite admit all the good that the Minute of 1846 effected in the education of this country. I admit that a large number of schools have been brought under the system which otherwise would never have found admission, and that the great class of certificated schoolmasters has been created. There is no complaint against the Minute of Council; but when I came first into the Council the noble Earl (Earl Russell) and Lord Lansdowne told me that they did not consider the system as a really national one, but the object should be to stimulate and improve it. That has been done; but yet it is not a national system. I do not care whether you take 100,000 children here or 100,000 there, and add them to the number; for I say that it is impossible for any of us who have read the Reports of bodies who have examined the matter, not only in Manchester, but in other places—in the diocese of the right rev. Prelate (the Bishop of London) for example—not to see that the educational destitution is something quite alarming, whether we consider the present or the future of this country. What I want, therefore, is to supplement; but I say that the scheme of the noble Duke, however well-meant and broad in some points, will utterly fail. I think the noble Duke mentioned seven points in his scheme. The first thing which I regret to see is that it is proposed to convert the Revised Code into an Act of Parliament. I think that is a mistake. These Minutes have been changed every year, and certainly not without necessity. It is almost impossible that, in a system like this, some changes from time to time should not be needful. The noble Duke says that Parliament has no control over it, that though presented every year the public do not attend to it. I believe that is a perfect mistake. The Code is published, and all the alterations in it are marked; and I believe if there is one document presented to Parliament more examined than another it is this, which affects the pecuniary interests of some people in all the counties of England. This I will say, that if you convert this into an Act of Parliament you do more to stereotype the present state of things than by any course you could take. The second proposal, I think, was the creation of a Secretary of State for Education; but I would rather refer to that after I have gone through the other points. The third was with regard to additional grants for building schools. I believe that proposal is good. I am anxious that there should be great economy in the administration of the Parliamentary funds; but I think it is evident that when you have built schools in those parts of the country which are best able to pay for them there could be no objection to granting aid to those places which are not so well off. With regard to the Conscience Clause, I must thank the noble Duke for having adopted its principle. For myself, I should very much prefer to see that wherever aid is given by the State the Conscience Clause should be adopted. There is one proposal which I am sorry to see made; I mean that with regard to certificated masters. The noble Duke, in his Report to Parliament, said that he regarded the plan of certificated masters as the keystone of the system; and he spoke in the highest terms with regard to it. In that I quite agree. With the exception of Mr. Walter, who has certainly paid great attention to the subject and done a great deal for education, and one or two others, I do not know a single manager of schools who does not think the system of certificated teachers one of the most valuable results of the Minute of

1846. To do away with the necessity of a certificated teacher would destroy the efficiency of the school just at the very moment you wish to extend it. The change contemplated in this respect is one which I am afraid will tend to upset the present system. It is all very well for these people to get a grant and have a certificated master; but in these schools the temptation of a cheap school is very great; and without some condition of this sort established by the Central Office you will have them getting rid of the certificated master, and engaging an inferior one. Your Lordships must bear in mind that the uncertificated master who has conducted a school successfully can apply to be examined, and he need only pass in such subjects as are absolutely necessary as proofs of competence. I think it is quite illusory to suppose that any little concession of this kind will have much effect in the country districts; and as to London and the large provincial towns, it will produce no effect whatever, while it gives no initiative, which is the great vice of the present system. With regard to the proposed appointment of a Secretary of State, I know there has been a general cry for such an appointment; but I think there has been some misapprehension on this score. Objections have been made that there is no responsibility at present, and that the Education Department is administered by the Committee of Council, and not by the President of the Council. This is all a mistake. I am sure that the noble Duke considers himself responsible for the Department of Education, and that he administers the office by the help of the Vice President. I am sure that he only calls the Council together on those sorts of occasion when a Minister would call the Cabinet together, and a Committee of the Cabinet would be appointed to consider subjects of detail. You, therefore, have an advantage in being able to take this advice. At least I know that, having administered the office of President for a long time, I felt it an advantage to be able to consult at times the first-rate men who were in the Department, and a man of great genius who acted as Vice President. There is a confusion, I think, in the public mind as to the place where the responsibility really rests. It is impossible, of course, that the Vice President should not share the responsibility. But that is a real advantage in the system, because, having at your disposal a somewhat higher office than that of an Under Secretary of State, you have your pick of persons out of the Cabinet, and can command for that office the services of men of high official position to explain and defend the policy of the Department. I congratulate the noble Duke on the very easy life he will lead when this Department is taken from him; but the House of Commons will not, I think, be inclined to create a sixth Secretary of State, with an additional salary, and probably with some additional officers, whose only duty "at present"—because that was a term frequently used by the noble Duke—will be to turn the Minutes into an Act, thereby relieving himself of all trouble in that respect; to make certain concessions, which will also make it much easier to administer the Department; and to do with respect to the Conscience Clause what, once done, is done for ever. I am sure that you cannot create such an office as that of Secretary of State without bringing forward much more important measures for the promotion of education than are now proposed, and without meeting the demand which is now becoming so general throughout the country for a more extended and complete educational system.

Earl RUSSELL: I have a few words to add before this debate closes. My noble Friend (Earl Granville) has expressed his gratitude to the noble Duke for introducing this Bill into the House of Lords. I wish also to express my thanks to the noble Duke for avoiding a danger which he himself has pointed out. He said that there is great danger in making mistakes with regard to education, and that, by taking a false step, we might do much more harm to education in this country than we could do by taking a step of admitted wisdom. I am glad to see that, speaking generally, the noble Duke has avoided any false steps upon this subject. The system which now exists is one which I have always watched with great interest from the time when Lord Lansdowne introduced it in 1839-40, and afterwards, when it was extended and improved. The view which Lord Lansdowne took of the subject—and it was at the time a just view—was first to improve the quality of the education, thinking that the quantity might be increased afterwards. Three or four measures were brought forward with this object. One was that Inspectors should be appointed, men of literary talent and of excellent education—men who were likely, by communication with the clergy and laity, to improve the character of the schools throughout the country. Another measure provided for the training of pupil teachers, who might afterwards become schoolmasters; and the third provided for the appointment of certificated masters, thereby furnishing the country with a great number of competent schoolmasters. These were great measures, and I am sorry to see that the number of pupil-teachers has greatly decreased of late years, so that the efficiency of the system has been impaired. That seems to me an additional reason why the House should agree with my noble Friend that it is not desirable to stereotype all the regulations of the Committee of Council. If you think it proper to appoint a Minister of Education you should give him the power of altering the Minutes from time to time; and I say this because, although I think that the Revised Code effected great good, I feel that the diminution of the pupil teachers was a very great evil, and that means should be taken to raise them to their former number. There is another question upon which the whole country takes an interest, and that is the question of rating in districts where schools are deficient. I think that without some machinery for levying rates our educational system never could be complete. There are two reasons why the system is not adequate to supply the wants of many parts of the country. One is the poverty and inability of the people; the other is the unwillingness and the apathy of the people. I observe that Mr. Norris, a most competent Inspector, who has had great experience, when asked before a Committee of the other House what is the reason why in certain districts there are no schools? answered that it is on account of the unwillingness and apathy which prevail among the people there on the subject of education. If that is the case, the question naturally occurs—How are we to remedy that evil? It would not be right for the State to give an increased grant in such instances, because that would be to give an advantage to persons who were unwilling and indifferent. For my own part, I see no other course than that of imposing a rate in such districts by the authority of Parliament. I certainly contemplated that a Minister of Education might be appointed at the same time as you established a system of rates; and, though the noble Duke has rather put the cart before the horse in creating a Minister of Education first, I trust that this Minister, taking, as he must, a great interest in the subject, and surveying the whole state of the country, will be the cause of the introduction of a system of rates into this Bill. I think that even in the present year we might empower boroughs, if they thought fit, to impose an education rate. By-and-by we might make another step in that direction; but even now, if such towns as Manchester and Birmingham were willing to take this course, they should be empowered to do so. This matter of primary education is one of the greatest importance; and I own I am very much struck with a declaration made by a gentleman who was at the head of an educational association at Birmingham, who thus ends his Report—

> "The general conclusions to which these facts seem to lead are, that we need some far more comprehensive measure than we at present possess, in order not only to bring all children into school, but to make them attend with regularity, and remain after they have learnt the arts of reading, writing, and ciphering—long enough to become accustomed to the use of them as instruments of self-culture. . . . At present they are not prepared for a step in advance. Most of them have as yet no footing, and I fear that it will be in vain to form them into classes for the study of special higher subjects. The lecture is but the handmaid to the treatise, the class-room (except for drawing) is but the ante-room to the study; and technical instruction will make but little way amongst the artizans of this country until they are better prepared for it by a more thorough system of 'primary education.'"

This is a fact which lies at the foundation of the whole matter. If you have classes for technical education and classes for higher instruction, and those who go to them have not been well grounded in primary education, in reading, writing, and arithmetic, you will find that technical education will make no progress. That being the important part of the matter, I cannot but wish that such towns as Birmingham, Leeds, and Manchester should have powers to rate themselves. The noble Duke accused me of having a party object when I stated my views on a previous occasion. I can assure the noble Duke I wish rather to help him in passing this Bill than to put obstacles in his way. I am glad that he has at least taken a step in advance, which will be for the public benefit, and I can only hope that it will lead to something better hereafter.

THE EARL OF CORK, with due deference to the noble Earl below him (Earl Granville), ventured to think that hardly any portion of the noble Duke's statement would be received with greater pleasure by the country than that which related to the admission of schools to inspection, whether the principal teachers were certificated or not. This would be the case more particularly in the West of England, where there were a number of small parishes the clergymen of which took the greatest interest in education, and in many cases defrayed the expense of it out of their own pockets.

The Earl of HARROWBY said, he also approved the proposal that schools need not necessarily be conducted by certificated teachers, referring to remarkable instances within his own experience, in which the relaxation of the present rule would be followed by beneficial results in securing assistance to schools that depended too largely on the exertions of the clergyman. As to apathy in the matter of education, much had been done already that would tend to diminish it, and we must wait for the full effect of it. He believed the measure of last year would have an immense effect.

Earl GRANVILLE said, it would not provide schools.

The Earl of HARROWBY said, that indirectly it would stimulate people to provide schools where they did not exist. Employers of labour, when they found difficulty in availing themselves of the labour of children because they were not educated, would find the means to educate them. He hoped the arrangement suggested with regard to the Conscience Clause would have a soothing and conciliatory effect, and that it would tend to show the groundlessness of the alarm manifested by some of the clergy. Under what was called Mr. Denison's Act, permanent power was given to guardians to pay for the schooling of children of out-door paupers. He would suggest that that provision should be made compulsory, and he was told that if it were 1,600 outcasts would be removed from the streets of Birmingham. In this way much of what was sought by compulsory education might be accomplished, and the streets relieved of spectacles that offended the moral sense. In conclusion, the noble Earl was understood to say that nothing was proposed that would reach the uncared-for children of the dense Irish populations in our larger towns.

The Bishop of LONDON said, that reference had been made to Returns as to the state of education in his diocese, which were of a most appalling character, and which would lead to the belief that apathy was by no means confined to the rural districts, but that it existed to a large extent in this metropolis. He must express his thanks to the noble Duke for the way in which he had dealt with the difficulty of the Conscience Clause. He could affirm from his own experience that the noble Duke would find that on that subject the clergy were extremely reasonable. It was true, however, that there was a small body of clergy who were not very reasonable in their demands; but he believed they were in a minority, and were by no means so important as their declamation would lead some to believe.

In reply to Earl Granville,

The Duke of MARLBOROUGH said, he proposed to take the second reading of the Bill after the holidays; but at present he was unable to name the exact day.

Motion *agreed to.*

A Bill to regulate the Distribution of Sums granted by Parliament for Elementary Education in England and Wales—Was *presented* by The Lord President; read 1ª. (No. 53.)

## POOR RELIEF BILL [H.L.]—(No. 39.)

(*The Earl of Devon.*)

### SECOND READING.

Order of the Day for the Second Reading read.

The Earl of DEVON said, he was quite prepared to place before the House the reasons which justified the various clauses which he had introduced into this Bill; but, looking at the great importance of the measure and the variety of its provisions, he thought it would perhaps be more convenient if the House would now read it a second time, and allow him to explain its provisions on going into Committee. He would therefore simply move the second reading of the Bill.

Motion *agreed to:* Bill read 2ª (according to Order), and *committed* to a Committee of the Whole House on *Monday* next.

House adjourned at a quarter past Eight o'clock, to Thursday next, half past Ten o'clock.

## HOUSE OF COMMONS,

*Tuesday, March* 24, 1868.

MINUTES.]—SELECT COMMITTEE—On Scientific Instruction *appointed.*

SUPPLY—*considered in Committee*—ARMY ESTIMATES.

*Resolutions* [March 23] *reported.*

WAYS AND MEANS—*Resolution* [March 23] *reported*—Consolidated Fund (£6,000,000).

PUBLIC BILLS—*Ordered*—Investment of Trust Funds Act Amendment *; Revenue Officers Disabilities Removal *; Boroughs and Divisions of Counties; Mutiny *; Consolidated Fund (£6,000,000).*

*First Reading*—Mutiny *; Consolidated Fund (£6,000,000) *; Revenue Officers Disabilities Removal * [76].

*Committee*—London Coal and Wine Duties Continuance [43]; Court of Appeal Chancery (Despatch of Business) Amendment * [68]; Indian Railway Companies * [55].

*Report*—London Coal and Wine Duties Continuance [43]; Court of Appeal Chancery (Despatch of Business) Amendment * [68]; Indian Railway Companies * [55].

*Third Reading*—Compulsory Church Rates Abolition [72], and *passed.*

### PRIVATE BILL LEGISLATION.

### STANDING ORDER 131.

Order for Consideration of Standing Order 131 (Competition to be a ground of locus standi) (*by Order*), read.

MR. DODSON said, that having gone into this subject very fully not long ago, it was not his intention to trouble the House at any length on the present occasion. His object was to elicit as far as he could arguments from hon. Gentlemen with regard to the difficult question of the allowance of opposition to Private Bills on the ground of competition. The Standing Order 131 was capable of two different constructions. It might be taken to mean that the proprietors of existing works might be admitted before Committees to argue that the proposed new works were not required for the public advantage; or, without denying that the works were for the public advantage, that they might be allowed to oppose the construction of the new works on the ground that those works would interfere with their private interests. The Report of Mr. Cardwell's Committee on Railway and Canal Bills in 1853, upon which the Order was based, merely recommended that in contested cases careful arrangements should be made by which established railway companies and municipal or other public bodies might raise the question of public advantage, and, in order to secure fairness in raising the issue, provision should be made for payment of costs in the case of illusory, vexatious, or unwarranted opposition. Companies, however, had affixed to the Standing Order the interpretation that they should be allowed to object to proposed new works, on the ground that their private interests would be interfered with, and having gained admission to be heard on that ground they naturally claimed that Parliament recognized in them a vested right, more or less absolute, to the monopoly of the district in which their works were situated. He did not believe that Parliament ever had recognized such a right, and as, under the present state of things, investors were led to indulge in hopes of protection which were constantly disappointed, he thought an Order which was liable to this misconstruction ought not to be maintained. The effect of its repeal would be that companies sanctioned by special Act of Parliament would return to the position in which they stood before 1853, and would be in the same position as companies incorporated under the Joint-Stock Acts, which were not allowed to oppose each other on the ground of competition. To this day, docks, although specially sanctioned by Parliament, were not heard in opposition to each other, and why should railways, or any other works? It might be said that companies incorporated by special Acts of Parliament were subjected to special conditions, but then it was in return for special privileges granted. It might be a fair question to consider, whether the conditions imposed were not in some cases too onerous in proportion to the privileges? He thought himself that the restrictions on the financial operations of companies, sanctioned by special Acts, especially of railway companies, were unnecessarily onerous, and were often injurious to the companies, without being attended with benefit to the public. Most of these attempted restrictions, perhaps all of them, like the old usury laws, broke down when put to the test; for it was impossible for Parliament to control the money market and the exigencies of lenders and borrowers. He believed it would be best to revert to the old law of Parliament, and not to allow one company to oppose another except in case of interference with its works. He was not contemplating, however, by his present proposition to withdraw from companies sanctioned by special Acts the concession intended for them in 1853; therefore, in proposing the repeal of the ambiguous Standing Order 131, he would substitute for it a new Standing Order, rendering it competent to the Referees on Private Bills, if they thought fit, to admit the proprietors of existing works to be heard upon their petition against any Private Bill relating to similar works within a town or district served by them, on the ground of the absence of public advantage. It might be said that the words "public advantage" were rather vague; but he thought that his proposition would have an incalculable advantage over the present more indefinite Standing Order, inasmuch as it would plainly declare that the public advantage would be the paramount consideration. In order to form a judgment as to how far the permission to be heard on the ground of their private interests being interfered with was of value to existing companies, he would refer the House to the evidence of Mr. Blenkinsop, solicitor to the London and North Western Railway Company, who stated before a Committee that the Standing Order 131 had not been productive of fruitful results, and that generally speaking the feeling of Committees was to sanction competing schemes. According to the best Returns, the companies established under the present system had, within the last fifteen years, expended £10,000,000 or £12,000,000 in legal and Parliamentary proceedings. Captain Huish, manager of the London and North Western Railway Company, and other witnesses also gave evidence as to the delusive character of the present Standing Order. He thought the House ought not to retain a Standing Order, the terms of which led people to suppose that Parliament was likely to reject a proposed work of public utility simply because it might appear to interfere with private interests.

Motion made, and Question proposed, "That Standing Order 131 be repealed."—(*Mr. Dodson.*)

MR. LEEMAN, from his experience of Private Bill legislation, was opposed to the alteration of the Standing Order in the manner now proposed. During the existence of the Standing Order in question, hundreds of millions of pounds sterling had been invested in public works in this country. The hon. Gentleman himself had admitted that fully one-half of the opposition in Committee-rooms was based on this Order, which he now sought to repeal. If this were so, he would leave the House to draw their own inference as to the views which existing companies held with regard to that Order. In 1862, 1863, and 1864, when Railway Bills were more than ordinary rampant, and when no less than 852 Bills were deposited, only 478 actually passed. The railway companies then had succeeded to a very large extent in their opposition, and entirely on the ground of this particular Standing Order now sought to be repealed. But this was not all. In 1865, 1866, and 1867, when Private Bill legislation, owing to the financial condition of the country, was not carried to the same extent, the same relative results followed as in the previous period to which he had referred. The hon. Gentleman told them, on the last occasion when this subject was before the House, that railway directors were conscious of the want of success which had attended their efforts when seeking to avail themselves of this Standing Order. He must say that his own experience as a railway director for twenty years was wholly opposed to such a statement. Many millions of needless outlay had been prevented by railway companies by virtue of this very Order. The hon. Gentleman knew that during the last fortnight a deputation had waited on the Minister, representing the whole railway interest from the English Channel to the Tweed, and more than one-half of the capital of the existing railways — representing £250,000,000 of capital; and what was he told by that deputation? Why, that they looked on the repeal of this Standing Order with the greatest possible anxiety and alarm. He now repeated that statement as a railway director, and he knew he spoke the feelings of thousands whose capital was invested in railways. The hon. Gentleman said that the Bills thrown out during the period to which he had referred were not thrown out on the ground of competition; yet he admitted that fully one-half of the opposition to new schemes was based on this Standing Order, and the railway companies had no other right to be heard against them. Was it too much to ask that the large interests which Parliament had itself sanctioned and encouraged—he did not say protected, for the object of the railway companies was not protection — should be permitted to set up their own case, if the Referees or the tribunal to which a particular Bill might be submitted should think fit? But the hon. Member asked, why railway companies should be alarmed when the Order he proposed to substitute would equally entitle them to be heard against new works? Because the words proposed to be substituted for "as the Referees shall think fit," were these, "on the ground of absence of public advantage"—words which the hon. Gentleman himself admitted he should not and could not define. The hon. Member had told them that the great object of the change he proposed was to save expense in Private Bill legislation; but the most direct method of reducing the costs of parties promoting Private Bills in Parliament would be to substitute one tribunal for the five different tribunals before which such Bills had now to be taken. If this plan were adopted it would be far more effectual than the mere repeal of a Standing Order.

Mr. STEPHEN CAVE said, he was certainly not one of those who thought that a railway company should be able to prevent the formation of another railway, merely on the ground of interference with profits. Parliament gave compulsory powers over land in return for restrictions imposed; but it did not guarantee monopoly, as the hon. Member for York appeared to suppose, and therefore such a provision as that in the Railways Construction Facilities Act, which enabled an existing company absolutely to stop *in limine* a competing line, would be most injurious to public interests, if extended to proceedings before Committees of that House. At the same time he was not sure that he went as far as the Chairman of Committees, and would exclude a railway company from tendering evidence on the ground of competition. Indeed, he doubted very much whether such evidence might not, in every case, be presented in the guise of absence of public advantage—whether prudently or not, he would leave it to Mr. Blenkinsop to decide—and would this not be reasonable? It was easy to say that Parliament would not interfere with the establishment of two banks or two hotels where there was only room for one; but there was a difference in the nature of things between the two cases. The weakest bank or hotel would succumb, the proprietors would be injured; but the premises might easily be turned to some more useful purpose, and the public would suffer to a very small extent. The same might be said, though with some qualification with respect to docks. In the case of two railways, on the contrary, being constructed in a district which could only maintain one, a vast capital would be wasted in permanently spoiling a large tract of land; and the public would be exposed to the hazard and inconvenience of being carried by companies who were obliged, in order to make both ends meet, to stretch economy beyond what was consistent with public safety. Moreover, there had always been this merit allowed to Committees of that House—namely, that they shut out no evidence, but that, whatever might be the value of their decisions, they gave all parties a patient hearing. He was afraid a departure from this rule might have the appearance of injustice and hostility to existing companies, and might also lead to the evil of frequent appeals to the House to suspend the Standing Order in such cases. It was also manifest that in most instances opposition might be carried on through landowners. He thought, therefore, looking at the period of the Session, that his hon. Friend (Mr. Dodson) had done the best thing by bringing about, as he had done—though his own Motion was not carried—in the course of economy and justice, the discontinuance of the double trial and the strengthening of the Committee which would have to decide between reasonable and unreasonable opposition on the ground of competition, and in this he would be materially assisted by the late Act with reference to costs. But he did not think that for the future competition would be heard very much of before Committees. The main lines were for the most part made, and new lines would chiefly be feeders of existing lines, and he believed that Parliament would have to take care that fair arrangements were made for working these small weak lines, so that they might not be oppressed by powerful companies. Competition was, doubtless, the safeguard of the public. Under it they secured convenience and economy. In many instances the maximum rates of fares had been fixed with the intention that they should be moderated by competition. But just now competition was likely to be reduced below what was wholesome and safe by the process of amalgamation and working arrangements. It was an old saying that competition ended in combination, and this had received a remarkable illustration, as the House knew, in the case of the gas companies. The House should have its attention directed to what seemed to him to be a great danger to the public. From 1860 to 1867 344 Bills had been passed for amalgamation and working arrangements affecting no less than 465 railway companies. He proposed to lay this list with a map on the table of the House. This year the number of Bills was only fifteen, but among them was a gigantic scheme affecting a large district in the South of England. Now, he was not opposed on principle to amalgamation. There could be no doubt that it produced the advantage to the public of greater economy and more harmonious correspondence of trains; at the same time it deprived them of this safeguard of competition. He wished that in an earlier year this subject had been referred to a strong Committee, in order that efficient Standing Orders might have been framed, instead of the useless 162nd Order, requiring the Board of Trade to do what in many notorious cases it certainly could not do—namely, satisfy itself of the amounts of capital actually paid and expended, and that provisions had been insisted on not only for present regulation, but for periodical future revision. He had thought it right to say so much on this occasion, in order that the House, while admitting the value of competition by discussing this comparatively small question of *locus standi* in the few cases likely to arise in future, might not suffer to pass unheeded vast schemes for the substitution of monopoly in the place of competition throughout every district of the kingdom.

Lord HOTHAM said, that the proposal made by the Chairman of Ways and Means had received due consideration at the hands of the Committee on Standing Orders. It was thought that it would meet with opposition from a great many Members who had made up their minds on the subject, while many others would not agree to it without further inquiry. The Committee accordingly recommended that the proposal should not be entertained for the present; and not only did he concur in this opinion, but, though he had heard ten times as much on the subject as he had ever expected to hear, he had seen no reason to alter his opinion. He hoped that the hon. Gentleman would be satisfied with the discussion which had taken place, and would at all events postpone the matter.

Mr. WATKIN concurred in the suggestion of the noble Lord.

Motion, by leave, *withdrawn.*

## THE BOUNDARY COMMISSION—ASSISTANT BOUNDARY COMMISSIONERS' REPORTS.—QUESTION.

Mr. Serjeant GASELEE said, he would beg to ask the First Lord of the Treasury, What instructions were given to the Assistant Boundary Commissioners for the Borough of Portsmouth, and whether he has any objection to lay them upon the Table of the House, and also their Report to the Boundary Commissioners, recommending for Parliamentary Elections the annexation of the town of Gosport to the borough of Portsmouth, contrary to the wishes of both?

Mr. DISRAELI: Sir, with respect to the instructions given to the Assistant Boundary Commissioners for the Borough of Portsmouth, it is unnecessary for me to produce them, because they are already lying on the table. With regard to the Reports of the Assistant Boundary Commissioners, they are essentially confidential documents, supplied for the information of the Boundary Commissioners, who form their opinion upon them, and who are responsible for the opinion they give to this House. It is, therefore, quite out of the question to produce these Reports.

Afterwards—

Mr. DARBY GRIFFITH: Sir, I scarcely understood the Answer given by the right hon. Gentleman the First Lord of the Treasury with respect to the Assistant Boundary Commissioners' Reports. Does he mean it to be understood that there are secret Reports made by the Assistant Commissioners of Boundaries differing from those laid on the Table of the House, and that their Reports are not to be laid upon the Table?

Mr. DISRAELI: Sir, I understood the Question addressed to me by the hon. and learned Member for Portsmouth (Mr. Serjeant Gaselee) to be, Whether the instructions to the Assistant Boundary Commissioners who visited the Borough of Portsmouth will be laid upon the table of the House? In answer to that, I said there was no difference between the instructions given to the Assistant Boundary Commissioners for the Borough of Portsmouth and those given to the other Assistant Commissioners, which are upon the table of the House. And I also said what is invariably the case, that the Reports of Assistant Boundary Commissioners are confidential documents, for the use of the

Boundary Commissioners, whose Reports are laid on the table. The Reports of the Assistant Boundary Commissioners are not laid upon the table, but are made solely for the use of the Boundary Commissioners.

## INDIA—BANK OF BOMBAY.

### QUESTION.

SIR HENRY RAWLINSON said, he would beg to ask the Secretary of State for India, Whether the opinions of any Members of the Council of India on the subject of the Government connection with the Bank of Bombay have been placed on record, as provided for in the twenty-third section of "The Government of India Act;" and, if so, whether he will lay such opinions upon the Table of the House, with any other explanatory Papers which may have been addressed to him on the same subject, and in addition to the Correspondence that has been already furnished to the House?

SIR STAFFORD NORTHCOTE replied, that there was only one Minute of a Member of the Council of India that had been recorded under the provisions of the twenty-third section of the Act. There were several other memoranda and papers of a more or less formal character; but inasmuch as the Minute referred to the personal character of individuals and matters that were about to form the subject of an official inquiry, he considered it would not be convenient or proper to produce it.

## CONTRACT LAW FOR INDIA.

### QUESTION.

MR. KINNAIRD said, he would beg to ask the Secretary of State for India, If he has any objection to lay Copies of Papers upon the Table of the House showing the present position of the question of a Contract Law for India; and of all Reports of the Indian Law Commissioners on the subject of Contracts?

SIR STAFFORD NORTHCOTE said, in reply, that he had no objection to lay copies of the Papers in question on the table of the House.

## NAVY ESTIMATES.—QUESTION.

MR. CHILDERS said, he wished to ask, Whether it is the intention of the Admiralty, previous to the discussion on the Navy Estimates, to lay upon the Table of the House any detailed Estimates of the expenditure to be incurred in the various Dockyards during the ensuing year, and the particulars connected with the building, repairing, and re-fitting of vessels?

LORD HENRY LENNOX replied, that the information which the hon. Gentleman desired to have would probably be found in two Papers which he had just laid on the table of the House, and which would be distributed to Members on Thursday. The first was a supplement to the Appendix to Vote 6 in the Estimates. This supplement would show the class and tonnage of each ship, and the estimate cost of labour and material to be expended during the year. The second was a general summary, showing the intended appropriation of Vote 6, distinguishing the sums to be expended in building and re-fitting of ships, and that for the wear and tear and maintenance of the fleet for the year 1868-9.

## LICENCES.—RESOLUTION.

MR. MARSH called the attention of the House to the subject of those licences which restrict the trade and commerce of the country, with a view to their abolition, and, in case of a financial necessity, a transfer of the charges to make or sell any article to a direct tax on the article itself; and moved that, in the opinion of this House, it is desirable that all Licences injuriously affecting the industry and commerce of the Country should be abolished. He said that he should endeavour to show that there was no defence for maintaining these licences; that the amount paid was collected in an expensive manner; that they checked the industry and commerce of the country; that they pressed more on some trades than on others, and on some classes of the community more than on others, and especially upon the humbler classes; that they produced, to a certain extent, monopoly and higher prices, and, in some cases, prevented articles from being used. Another objection was that the taxes so imposed were collected by three separate Departments—the Excise, Stamps, and Assessed Tax Offices; and certainly if they were to be continued it would be better that they should all be placed under the control of one Department. The licence to make soap, which was £4 4*s.* a year, produced £1,234 16*s.* The time was past, he presumed, when any defenders of taxing soap could be found. The licence to make vinegar, which in fact made itself, was £5 5*s*., and produced £330 15*s*. Then the vinegar maker was protected against his foreign competitor, and, that nothing might escape, pickles were taxed. The papermaker had to pay £4 4*s*. a year, notwithstanding the House had long since declared paper should be free of taxation. Then came a class which was of much greater importance—the licences to tea and coffee dealers. Such persons, if their premises were rated at as much as £8, had to pay 11*s*. 6½*d*. for a licence, and if such a person living in a village sold only 30lb. of tea in one year the licence duty would amount to 4½*d*. per lb., whilst the import duty was only 6*d*. The consequence of the licence creating a sort of monopoly was, that in villages tea, which could be bought at 2*s*. 2*d*. per lb. in the towns, was sold for as much as 4*s*. in the villages. The tea licence produced £66,577; and the import duty on tea, chicory, and coffee £3,110,000; so that a fractional addition to the duty on tea would recoup the Government for any loss it might sustain by abolishing the licence, and the only hardship that would result would be a rise of about half a farthing per pound on tea. Tobacco manufacturers whose make did not exceed 20,000lb a year had to pay £5 5*s*. for a licence, and the charge increased by a sliding scale, according to the make, up to 100,000lb, for which the charge was £31 10*s*. The arrangement was exceedingly complicated, and, of course, hampered the manufacturers very much. The dealers in tobacco paid 5*s*. 3*d*. for a licence; small dealers paid as much as large, and occasional dealers, such as the man who sold a cigar and a light on the Derby Day, were expected to pay 4*d*. This last charge was of course evaded, and it would be better at once to abolish it. The total received for tobacco licences amounted to £77,957; the total revenue from duty on tobacco, £6,332,000; so that an increase of 1¼ per cent on the duty would enable the Government to abolish the licence altogether. He now came to the licence duty for selling wines, and he believed that the way in which this duty was imposed had some effect in preventing people from selling wines to the extent that they otherwise would. There were many other licences, including what were called occasional licences, which occasioned much vexation and annoyance, and produced after all, comparatively, very little to the public revenue. In respect to the article of wine, it was charged at a much higher rate than it ought to be. Now, take the case of a traveller by railway; he could procure a newspaper for 1*d*., a bun for 1*d*. at a station, a sandwich for 2*d*., or a sausage and potatoes for 4*d*.; but if he were to venture upon a glass of wine he would have to pay 6*d*. for it. Now, he was told that such wine as that usually sold at stations for 6*d*. a glass could be purchased for 16*s*. a dozen, and that each bottle contained about sixteen glasses. The result was, that for each bottle costing to the retailer only 1*s*. 4*d*. he received 8*s*., being a profit of above 600 per cent. The total produced from wine licences to the Inland Revenue was £130,911; the revenue from the Customs was £1,409,127. If such an alteration as he suggested were made, and 10 per cent additional put upon the Customs in respect to this article of wine, it would amply recoup the Government for any losses they sustained by this change in the licencing system. Dealers in sweets were taxed to the amount of £11,000. Dealers in plate were also taxed, and the mode in which the tax was levied upon them was unequal and complicated. A very small percentage on the value of the plate would in this case also render licences unnecessary, and at the same time guard the Revenue of the country against loss. He might observe that under the existing system a considerable advantage was given to the French manufacturers of plate. Pawnbrokers in London paid £15 licence, and in the country £7 10*s*. Pawnbroking was said to be a necessity to the poor, and foreign Governments took this trade into their own hands. He did not say that, as a protection against receivers of stolen property, pawnbrokers ought not to be registered in some way; but he did think that the State ought not to tax the wants of the poor. With respect to malt and beer, they were taxed six times over and in twenty-five different ways. So unequal was the manner in which the licences were levied that the small man had to pay most, the large man paid least, and the country gentleman who brewed his own beer at home paid nothing at all. He did not propose to deal with the retail trade, though he believed that the licencing system was of no use in preventing drunkenness. In some places where there was free trade in brandies and wines there was no drunkenness at all. He knew that the malt tax was an unpopular impost; but it was a question whether it would not be better to raise money by a tax on beer than by means of all those licence payments in the malting and brewing trades. He believed there would be no difficulty in raising a tax on beer, and the great advantage of this would be that the Excise would be levied in the last stage before consumption. Adam Smith laid it down that this was the most advisable way of levying excise on a manufactured article. A brewer had written to him to explain that there would be no difficulty in raising a tax on beer. The private brewers at the present moment were becoming an extinct species. They could not contend in towns against the machinery and capital of the large brewers, and hence private brewing practically was confined to the wealthy farmers and country gentlemen. But these were the very persons least likely to cheat the Excise, and assuming even that the disposition existed, how was it to be done? The income tax might be evaded, because you could not smell it; but he defied any person to conduct brewing operations without the fact becoming known. If the duty levied upon malt were levied at the last moment, instead of at the first, a great many disadvantages would be got rid of. It was impossible for a maltster under the conditions of modern science to comply literally with Excise regulations, some of which were 200 years old. If the course which he advocated were adopted, anybody would be free to use barley, according to its quality, for any purpose that he liked; and it was only if he turned it into beer that he would have to pay duty. The duty raised from spirits was enormous; but it was not merely the amount of the levy which was oppressive, but the operation of the tax, which extended to chymists, and exercised an effect almost prohibitory upon various industries. If we allowed French tables to come in duty free, at least we ought to take care that the materials for French polishing were not denied to our own tradesmen. Stage carriages were taxed in ten different ways, and it appeared to him that many of those taxes were most injurious, some of them acting very severely upon cabmen, a much abused but good class of men. It would be better, instead of licences, to increase the assessed taxes on horses and carriages. Why, again, should auctioneers be called upon to pay a license of £10 10*s.*? Abuses there might be connected with auctions; but, on the whole, the system of public competition was the fairest that could be devised. One would suppose that the classes invidiously subjected to the payment of licence duty would remonstrate and petition Parliament for relief. But as long as they fancied that monopoly was thereby secured to them they reconciled themselves to the payment of these charges. A wine merchant to whom he spoke upon the subject recently avowed that he did not think the licence duty any hardship. For, said he, "it keeps people out of the trade," thereby letting the cat out of the bag. It might be thought that if this small additional percentage were added to the Customs and Excise duties the odd sums would be found very difficult to collect. But tables could, of course, be produced which would give equivalents; and, moreover, the existing proportions of duty — such, for instance, as 3*s.* 1*d.* and eight-tenths of 1*d.* per pound upon tobacco — were often quite incomprehensible. The licence system, in fact, had been tolerated because the payments were almost inappreciable; but surely it was better to pay 6*d.* and know it, than to pay 1*s.* and know nothing about it. He objected to the charges which he had enumerated, because they were partial and unjust in their operations; interfering unequally with many industries, and because they were often evaded, and where paid, established a monopoly resulting in more than commensurate loss to the consumers. The hon. Member concluded by moving the Resolution of which he had given notice, intimating, however, that it was not his intention to put the House to the trouble of dividing.

Motion made, and Question proposed,

"That, in the opinion of this House, it is desirable that all Licences injuriously affecting the industry and Commerce of the Country should be abolished."—(*Mr. Marsh.*)

MR. LABOUCHERE said, he wished to make a few remarks on the subject of one licence, especially as it seemed to be supposed that the burden fell upon the consumer. He referred to the licence upon those unfortunate victims of taxation, the brewers. That licence was entirely paid by the brewers themselves; and what did it amount to? A London brewer who made 100,000 barrels of beer per annum, would require a capital of about £300,000.

At the average price of barley, the profit per barrel would be 5*s.*, or £25,000 per year. From that must be deducted the interest on the £300,000, which would leave £10,000. But the duty would be £1,300, which would be 13 per cent. on the trade profit. When the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) imposed the tax, he urged as an argument in its favour that the brewers would be more than compensated by the abolition of the hop duty; but the fact was that since that time hops had been dearer, the hop-growers being now able to hold their hops, instead of submitting to forced sales in order to pay the duty. The result was that the brewer had to pay an additional tax of 13 per cent, and received no compensation for it. He (Mr. Labouchere) could see no reason why a brewer should be taxed more proportionally than a cotton spinner. There was indeed a species of delusion abroad that brewers made large profits, but that was not the case —certainly not with the London brewers, who very seldom received more than 8 per cent upon their money. If the Chancellor of the Exchequer chose to levy a general tax on trades, there might be some reason for that; but he (Mr. Labouchere) did complain of this invidious burden upon one; and he trusted not only that the right hon. Gentleman would inaugurate his entry into office by modifying to a considerable extent this licence, which was really a measure of spoliation, but that the right hon. Gentleman below him (Mr. Gladstone), whose prediction had not been verified, would assist the brewers in obtaining a modification of the tax.

The CHANCELLOR of the EXCHEQUER: I have listened with great attention and interest to the speech of my hon. Friend the Member for Salisbury (Mr. Marsh), and I am glad to find from his concluding remarks that he does not intend to divide the House upon his Motion; because if he had done so I should have opposed it, as no one in my position could assent to a Motion which would, at the present time, strike off so large an amount of the Revenue without proposing a substitute. The question is one of great importance, and I must remind him and the House that the licences to which he has referred come under different categories. These licences were first imposed upon those who sold exciseable or dutiable articles; and though the duties on many of those articles have been relaxed the licence on the vendors still remains; and I must admit there are some anomalies connected with them which I think it would be desirable to remove. The licence for the sale of beer and spirituous liquors produces £1,150,000, and in considering it we must do so, not merely as a licence on the sale of articles for the purposes of revenue, but also to a certain extent with reference to police regulations, as bringing the persons who sell these articles under the control of that body. The stage and hackney carriage and postmasters' licence yields about £170,000 per annum, and the game licences about £158,000. The postmasters' licence is a subject to be dealt with when a convenient time arises; but I think they should all be dealt with together, when the locomotive duties are dealt with as a whole. The brewers', distillers', and auctioneers' licences yield about £420,000 per annum; and tobacco, tea, hawkers' licences, &c., about £270,000. The licences on the larger classes which I have enumerated have been imposed for different reasons, and the hawkers' licence was imposed partly in order to protect small shopkeepers, who complained that these itinerant dealers who paid no rates and taxes ought have a duty imposed on them, and partly as a police regulation, it being necessary that men who were always going about the country, and who had many opportunities of committing frauds and depredations, should be subjected to some supervision. The hon. Gentleman has made a great point with regard to the licence for selling coffee and tea, which is no doubt a matter open for consideration. There is a great difficulty in imposing a fixed rate of licence, because it must press much heavier on the small trader than on the man who carries on an extensive business. In 1853 the right hon. Gentleman (Mr. Gladstone) proposed a scale of trade licences according to the value of the premises; but he found considerable difficulty in dealing with the question, and eventually he was obliged to give it up. It has, however, been urged by some that a general trade licence graduated according to the rateable value of the premises, should be imposed in lieu of the income tax on profits of trade, but great, if not insuperable, difficulties present themselves in devising such a scheme. Now if some trades are required to take out a licence it is difficult to see why all should not. But then again arises the difficulty of imposing it in such a manner as that it shall press equally upon all. The rateable value of the premises does not indicate the magnitude of the trade carried on, because some trades, from the bulky character of the goods, require much larger premises than others. I have referred to these matters to show that this is a subject that ought not to be dealt with hastily, and without due consideration; and with regard to the machine referred to by the hon. Member in Somerset House, I do not think there is in existence any machine which would devise a scale of duties that would be likely to give satisfaction. The subject which the hon. Member has brought before the House is one of considerable importance, and it shall have my best attention.

Mr. POLLARD-URQUHART said, the licencing system was one of those subjects that would very early engage the attention of the new Reformed Parliament. The poor in the agricultural districts had gained less by the great reductions that had taken place in the duties of all articles of consumption than any other class in the kingdom, from the fact that the retailers in the small villages had not made a corresponding reduction in the price of those articles of necessity and comfort so largely consumed by the poor. The traders retained a monopoly of the trade, because others were deterred from embarking in business on account of the heavy licences they would have, or thought they would have, to pay. A labouring man with £1 1*s.* a week in Manchester or Birmingham gained the whole benefit of the reduction, whilst the poor Dorchester labourer, on his 8*s.* or 10*s.* a week, got none.

Mr. M. T. BASS said, he could not understand why one trade should pay a licence while others did not—why a soap-boiler and a papermaker should pay a licence and a calico maker should not; why a banker should pay and a merchant should be exempt; why a horse-dealer should pay and a cow-keeper be exempt. The hon. and learned Member for Tiverton (Mr. Denman) annually brought forward the grievance of attorneys and their certificates or licences; but the attorneys were by no means singular in this respect. He wished the hon. and learned Gentleman were present that he might challenge him to a discussion of this whole question. Either licencing was good or bad; if good, it should be made general, and if bad, it should be abolished. In America, a vast number of licences were imposed, and where licence duties were imposed almost every trader and manufacturer paid duty on their articles. In this way alone he thought licence duties upon articles should be collected. But he rose chiefly to call attention to one particular licence which he thought the most grievous of all. It was a blot, a special blemish, on the great financial schemes of the right hon. Gentleman opposite (Mr. Gladstone). When he brought forward the measure originally it was presented to the House as a commutation of the hop duty. He argued that every one would pay the duty according to the quantity of malt he consumed. He himself had ventured to oppose that view; but the right hon. Gentleman persisted. It happened that at the last General Election he had the misfortune to incur the displeasure of an important portion of his constituents—the Licensed Victuallers—who took it into their heads that he had supported the right hon. Gentleman in maintaining the proportion he had taken of two bushels of malt to a barrel of beer; whereas the reverse was the fact, and he was obliged to seek a certificate from the right hon. Gentleman in order to appease their wrath, who was kind enough to state that he had taken the opposite course. Instead of two bushels, four bushels of malt were used, and the result was that they paid a double tax. The duty paid upon one cwt. of hops used in the brewing of pale ale was 6*s.* 7*d.*, and the duty upon the malt £6 5*s.* 7*d.* The duty paid upon strong beer was 9*s.* 9*d.* for the hops and £10 2*s.* 8*d.* on the malt, being 50 per cent more than the other and nearly 100 per cent on the malt duty. The right hon. Gentleman attempted to push this tax further and place it on all private brewers; but he himself, accompanied by an hon. Gentleman engaged in one of the largest trades in this country, said they should not insist on the tax being extended to private brewers. He confessed, however, that he had made a great mistake. It was a real injustice which the right hon. Gentleman had inflicted on the brewer, and the private brewer had been allowed to escape altogether. The right hon. Gentleman gave as one of his prime reasons for imposing this tax that it would be recovered in a reduction of the price of hops. But the very reverse was the fact. There had been an average advance of 35 per cent in the value of hops. The brewing trade had in the interval paid the sum of £1,500,000 in the increased value of hops, and in licence duties over £2,000,000. He defied any person to show that they had received a single penny in exchange for this. It was his firm conviction that the brewers' tax was paid out of capital this year and last; and he had heard, on reliable information, that one of the oldest houses in the trade did not get a single shilling last year. They were required to pay £12,000 before they were allowed to begin business; and he knew a house that had paid £46,000 by means of this tax since 1862, and they had not made forty-six pence in return for it. He asked the House, was it just to impose this additional property-tax on the brewers, whilst other trades were free? The whole system of licences was bad unless it was made general. The licence tax was an iniquity. They might as well require Chancellors of the Exchequer to pay a tax of 50 per cent, although there were no persons he would deal with more liberally. He would double their salaries to-morrow. He hoped in return they would do something for him. He defied any Chancellor of the Exchequer to defend this tax. He would seek some other opportunity of bringing this matter forward.

MR. GLADSTONE said, that he thought the hon. Member for Salisbury (Mr. Marsh) had exercised a wise discretion in not calling for a division on the question he had introduced. However important it might be to discuss the principles on which a remission of taxation should be made, it was obvious that such discussions could not have any practical effect in the face of a progressive increase in every branch of the public expenditure. It was on their success in restricting expenditure that they must chiefly depend for the remission of taxation; because, if they continued to increase the expenditure rapidly, it was quite in vain to make the most enlightened speeches on the subject of the reduction of taxes. The right hon. Gentleman the Chancellor of the Exchequer was quite correct in stating that the subject of licencing was a very difficult one to deal with; and, indeed, so great were those difficulties, and so anomalous our licencing laws, that every attempt which he (Mr. Gladstone) had hitherto made to reduce them to something like order and principle had failed; and he had always been obliged to desist from bringing forward any propositions on the subject in a practical shape. When the hon. Member called upon the Chancellor of the Exchequer to establish some principle with respect to licencing, he (Mr. Gladstone) would suggest that there was a class of commodities on which he considered that it was expedient to obtain the maximum amount of revenue which it was possible to obtain. Such a commodity was ardent spirits. It appeared to him to be perfectly fair, with some small reservation, to get as much as they could in the shape of indirect taxes from such a commodity; but it was quite a different case with respect to tea. He did not for a moment suggest that the present was a time when the licence duty on tea could be further reduced; but he thought that, as a general rule, all licences which acted as a restraint to trade ought to be the first to be dispensed with. Then, again, with respect to licences granted to small dealers, which produced only an insignificant amount of revenue, he quite agreed with the hon. Member for Salisbury, although he could not think of parting with that revenue at present. Such licences operated as a restraint to trade, and ought to be parted with at as early a period as was convenient. With regard to the sale of strong liquors, he did not see that the licencing system was at all objectionable, nor ought it, in any probable or proximate circumstances, to be abandoned. The brewers' licence pressed upon brewers beyond the ordinary rules of trade, and could only be justified by necessity. [Mr. M. T. BASS: It is nearly double what you compute it to be.] The question was not now before the House, and his hon. Friend would do him the justice to admit that, when it was proposed in lieu of a duty on hops, it was unanimously accepted by the House, and met with the approval of several eminent members of the trade itself. His hon. Friend, with great magnanimity, refused the advantage offered to private brewers, amidst the cheers of the House. However, he hoped that the time would soon come when the whole question of licences could be fairly considered, and when any objectionable one brought before the attention of the House could be dispensed with altogether. With respect to brewers' licences, he admitted that he would not support them if they could be commuted into a duty upon malt; and if Her Majesty's Government made such a proposal he should not oppose it. He admitted that the brewers' licence was a question which was fairly open to discussion, and should, therefore, be glad to see it brought forward at any time in that House. As regarded licences granted to bankers, they in no degree acted as a restraint upon trade, from the simple fact that they were only required to be taken out by banks of issue, and there were obvious reasons why a licence should be required in their case. He thought the right hon. Gentleman (the Chancellor of the Exchequer) was quite right in sticking to his licences, and he was glad that the hon. Member who had brought forward the Motion was not going to press it to a division, as he should otherwise have been compelled to vote against it.

Mr. GREENE complained that the brewer was unable to recoup himself for his licence by raising the retail price of a pint of beer by an impossible fraction of a penny, and therefore the whole sum came out of his pocket. He could not see why the brewer should be taxed while the cotton manufacturer got off free. He did not object to the brewer paying a licence; but he said that the licence in lieu of hop duty was unfair in the extreme. The hon. Member for Salisbury (Mr. Marsh) proposed that the duty should be raised upon the beer, instead of upon the malt; but experience had shown them that the restrictions imposed upon the brewer by such a practice were such as it was impossible they could now submit to; and, moreover, this was not the proper time to propose the reduction of the malt tax now we were at war with Abyssinia. His object in rising was to express his regret that, when practical questions came before the House, there should be so thin an attendance of Members; whereas, if the hon. Member for Birmingham, or any other hon. Member, brought forward a sentimental grievance from the other side of the water to be discussed a large number of Members were invariably present. He hoped that the Motion of the hon. Member for Salisbury would be brought forward on some future occasion, and that a Committee would then be appointed to consider the whole question of trade licences.

Sir GEORGE BOWYER remarked, that according to the Chancellor of the Exchequer, the licences of hawkers were needed for the protection of shopkeepers. But this was an argument that could scarcely be recognized in these days of free trade. Hawkers were amenable to the criminal law of the country; and if they committed any offence they could be pulled up before the magistrates and punished without any aid from the system of licences. He considered that these hawkers' licences were oppressive and exceptional. They produced only about £50,000 a year, and they were a very great restraint on the trade of the poorer classes, many of whom were thus prevented from getting an honest living. To impose such restrictions on those persons was a very likely means of forcing them into the workhouse or the prison.

Motion, by leave, *withdrawn.*

### SCIENTIFIC INSTRUCTION.

#### MOTION FOR A SELECT COMMITTEE.

Mr. SAMUELSON, in rising to move for the appointment of a Select Committee to inquire into the provisions for giving instruction in theoretical and applied Science to the Industrial Classes, said, that in the Notice which he had given he had been careful to avoid the use of the term technical education, and for this reason: technical education was of two kinds—that of the school and that of the factory. Now, it could not be denied that the instruction received by artizans in our factories was at least equal, if not superior, to the instruction received in the factories of any other nation in the world. Our manufactures had long carried off the palm among the industrial productions of nations; our manufactures had been renowned at a time when the Continent had even the rudiments of good workmanship to learn. But it should be remembered how very recent was our present great industrial system. It dated from the inventions of Watt, of Arkwright, and of Crompton; and to show how entirely it was of modern creation, he would simply mention that the manufacture of iron in this country had increased from 60,000 tons in 1788 to 5,000,000 tons in 1867, or very nearly a hundred-fold. Whilst this great industrial edifice was being created, European countries were suffering from exhausting wars. It should be remembered that until within a comparatively recent period the exportation of machinery from this country was prohibited; while, until the middle of the reign of George IV., it was an offence punishable, he believed, with death, to entice any artizan to go abroad for the purpose of teaching his trade to foreign workmen. Meanwhile, schools were established on the Continent for conveying, not only theoretical instruction, but also for the purpose of imparting instruction in practical manipulation. In France *les Ecoles des arts et des metiers* were established; the great *Ecole centrale* was created in Paris, and polytechnic schools throughout North and Western Germany. It was urged that the example of the United States showed that there was no necessity for the establishment of technical schools. He was not aware whether the United States as yet possessed any such schools; but that they regarded the subject as being one of great importance might be seen from the fact that, in the midst of their troubles, they voted towards technical schools land of no less a value than 8,000,000 of dollars. There were in this country no technical schools, and though our Universities and some of our public establishments of instruction contained the elements of such schools, yet they were from this point of view open to several objections. In Oxford, he was glad to say, scientific instruction was gaining ground; but he contended that it was not only of too theoretical a character, but that Colleges were conducted on principles which were too severely denominational. A son of a friend of his, in the sixth form at Rugby, offered himself as a candidate for a prize at Christ Church in natural science; but his father holding the views of the Society of Friends, and he being consequently unable to produce a certificate of baptism, he was not permitted to compete. The only two unsectarian institutions we had were those of the University College of London and of Owen's College in Manchester. He was aware that there were two great schools in London which partially fulfilled the purpose he had in view—the School of Mines together with the College of Chymistry in Jermyn Street, and the School of Naval Architecture in Kensington. The School of Mines was no doubt an institution of great use, but it was not a polytechnic school; and one inquiry of his Committee would be, whether this school could not be made the foundation of a great school of general technical instruction? The School of Naval Architecture was also of great use; and he had been told by Mr. Reed that till it was established he could not find anyone to draught his plans, and he was obliged to sit down to a drawing-board himself to work out his own designs in detail. But there was not a complete polytechnic school in England. The case was different in Ireland. There was a College of Science in Dublin whose curriculum was very complete; but it was too recent in its establishment to enable him to speak of its success. As regards secondary education, some attempt was made to instruct the middle classes in the applied sciences; but the general working of these schools might be summed up in a remark from the Report of the recent Schools Commission, that in general the masters were ill supplied with apparatus, and that they were very deficient in manipulative skill. As far back as 1859 attempts had been made to get up classes for the teaching of theoretical and applied science to the working classes; but the result was that they had been established in very few of the manufacturing districts, and that, with the exception of Lancashire and London and its neighbourhood, they had taken no hold on the industrial population. In Lancashire, an excellent school had been established at Oldam, mainly through the munificence of the hon. Member for that town (Mr. Platt); and in Halifax, in Yorkshire, there was another excellent school, sustained by the liberality of the hon. Member for that borough, (Mr. Akroyd). But there were no schools in Durham, none in Northumberland, few in Staffordshire, none in Derby. He had no doubt, however, he would be told by the noble Lord opposite that the number of persons receiving scientific instruction was increasing. [Lord Robert Montagu: Hear, hear!] He was aware that was so; but in the majority of instances it would be found that the increase was made up of children taught in the elementary schools, and taught in a very superficial way. For instance, it was stated that at Plymouth in 1865 there were two scientific schools, and in 1866 there was a third added for navigation. But in the first year that school had 458 pupils, and it had only one master. The consequence was, that not one of the pupils gained a certificate at the examination—as, indeed, how could they when the whole 458 were taught by a single master? And yet the Inspector reported everything *coleur de rose*, and the only remark he made was that it would be better if there were more masters. But only 123 of the 601 existing certificated teachers were being employed; and, taking this in conjunction with the cry for more teachers, it was evident something in the shape of a grievance existed, into which the House might do well to inquire. Of this he felt sure, that the Minute of Council which enabled holders of Queen's prizes to become teachers, without having undergone a special teacher's examination, was a great mistake, and ought to be repealed. Already the instruction was weak enough, as shown by the results. In the annual papers of examination throughout the country upon scientific subjects, he found in those of May, 1866, that in geometry, 51 per cent of those examined were failures; in mechanical drawing, 36 per cent; in applied mechanics, 46 per cent; in geology, 42 per cent; in mineralogy, 45 per cent; in steam, 57 per cent; and in physical geography, 61 per cent. This was excused on the ground that two sets of papers had been issued under a new system, and that the pupils, in error, had taken the more difficult. The statistics, however, showed that a majority of the failures took place in the easier papers. This, for instance, was so with regard to 40 out of the 61 per cent of failures in physical geography. One reason for the want of success in these schools he believed to be, was that their practical management was in the hands of a gentleman who was thoroughly familiar with art, but, he was afraid, was not equally acquainted with science — Mr. Cole—and who therefore could not do his duty in the Department of Science as, notwithstanding all the fault found with him, he believed he had done in regard to art. But there was one excellent thing done in this Department—the establishment of drawing classes in elementary schools. For his own part, he believed that nothing could so much tend to promote efficiency in the schools to which his Motion had more especial reference than the giving of preparatory instruction to young children in drawing; not, however, as was now the case, by art masters exclusively, since the Department by one of its rules acknowledged their incompetency to give instruction in geometrical or mechanical drawing, but rather by science masters; and a Minute had lately been issued granting scholarships to advanced scholars in elementary schools who should pass a satisfactory examination in science and art; but that had been issued so recently that he was unable as yet to give an opinion of its success. The answers forwarded by the different Chambers of Commerce to the circular issued by the Privy Council declared that British workmen were placed at great disadvantages by their want of systematic instruction; but he was sorry to find that those Chambers appeared to be quite unconscious of the defective education of the managers and proprietors of manufactories. One difficulty surrounding the subject at this moment was that we hesitated to grant efficient Government aid to any class except the working classes in this country; while they, on the other hand, were not prepared by their previous training to accept it, and so matters moved in a vicious circle. He believed that a solution, to a great extent, of the difficulty might be found in granting aid towards the establishment of professorships upon the understanding that, whatever other instruction the professors might give, they should also give instruction to working men in the night schools. If in some form or other the Government were prepared to promote more systematic plans for teaching science in our great manufacturing centres, local efforts in aid of them would not be wanting. As to the necessary funds, he would not, as was so often done, compare the grants for education with those for naval and military purposes; but when he stated that education in the British army cost four and a half or five times as much per head as it did in the French service, he thought he had pointed out a fund from which some portion of any additional grants in favour of science might be recovered. If ever cultivation was to be extended to our industrial classes, it must be in the first instance by educating them in science. He by no means undervalued other branches of education. The claims of classical literature, indeed, had latterly been under-rated, he thought, by men like the right hon. Gentleman the Member for Calne (Mr. Lowe), who themselves were masters of the subject, and owed many of their greatest successes to the perfection of their classical training. If they wished to give the industrial classes of the country, from manufacturers and managers down to the artizans, a desire for instruction, it must be done by tempting those classes to instruct themselves, in the first place, in the principles underlying the arts they pursued in their daily avocations, and that having been accomplished, the question would arise whether a combination of such instruction with literary instruction could or could not, in the majority of instances, be effected. He believed that encouragement of technical instruction in this country would not merely promote arts and manufactures, but would tend to the advancement, of the general education of the people. The hon. Member concluded by moving for a Select Committee to inquire into the provisions for giving instruction in theoretical and applied Science to the Industrial Classes.

MR. DIXON said, he sincerely hoped that the granting of the Committee would not be a bar to giving the assistance immediately and urgently required by some of the provincial towns, and which would be asked for by others. He hoped that the result of the inquiry would be practical legislation, and a disposition on the part of the Government to grant the supplies necessary to carry out the recommendations of the Committee. They could not hide from themselves the fact that this was a question of no small importance; because it was beginning to be fully recognized that, upon the right method of dealing with this question depended, to a considerable extent, the continuance of the manufacturing prosperity they had hitherto so largely enjoyed. We did not now occupy the same position in regard to manufactures as we had occupied ten or twenty years ago. He referred to our position as compared with that of other countries. The letters written by jurors at the Paris Exhibition showed that we had not kept pace with Continental nations. This was the opinion of Chambers of Commerce, which ought to be able to arrive at a correct conclusion on the matter; and Sir James Kay-Shuttleworth held that in our middle-class education there had been scarcely any advance during the last thirty years. He hoped that the Committee, if appointed, would inquire, not only into the provisions now existing respecting technical education; but would also inquire into the provisions that ought to exist, and which it should be the duty of the House to bring into existence. The Science and Art Department, in its last Report, informed them that in all the schools connected with the Department, there were not more than 7,000 pupils under certificated teachers—or not more than one pupil, in a scientific school, out of every 4,300 inhabitants. To the science and art school in one small town the Government of Saxony allowed £3,000 per annum; while £7,000 a year was the aggregate allowed by our Government to the provincial schools of science and art in this country. Government should do a great deal more than they had hitherto been able to do. Much had been done by private enterprize at Birmingham to promote technical education; but there was still work before them which they could not perform for want of means, for which they were now applying to the Government, and he trusted they would give it to them. He trusted also that, when the Report of the Committee was before the House, the Government, backed by the opinion of the House and the feeling of the country, would do a great deal more for technical instruction than they had ever yet dreamt of doing.

MR. BAINES said, he considered it was very desirable that the Government should grant the Committee asked for. If a Committee were appointed, it should be composed of men of science, practical manufacturers, and men connected with public and political life; and the inquiry might be more efficient if it were carried on by a Royal Commission, because the services of men of science would be more at the command of a Commission than of a Select Committee; but if the noble Lord the Vice President of the Council thought that the inquiry ought to be referred to a Committee, he should make no objection. He must do the Government the justice to say that the Department of Science and Art had been by no means idle in the matter of technical education; nor had their efforts been unattended with good. It was only eight years since the Government Grant was first given, and the number of scholars had increased from 500 in 1860 to 10,000 in the course of the present year. He believed, however, comparatively little had been done out-of-doors to provide the education which was suited to persons intended as managers for large manufacturies. Still, he might say, if science had been neglected by the humbler classes of the community, it had been neglected in a still greater degree by the upper and middle classes. In the middle-class schools the great defect was found to be the want of scientific education; and he believed the fact was in a great degree attributable to the Universities, where, until recently, science was not made an especial study. The University of London, and other kindred institutions, had given a great stimulus to the study of science; and, although they might be disposed to look with favour upon what had been accomplished, they were forced to admit that as compared with other countries there was a great inferiority in this with respect to scientific education. He hoped to see artistic and scientific education in this country raised to a point commensurate with our manufacturing ascendancy. He trusted the Committee asked for by the Motion of the hon. Member would be granted, and that it would enter on its duties with a resolution to bring the matter to some practical result.

MR. BAZLEY said, he did not despair of the capabilities of his countrymen, who, he believed, would still be found unrivalled in the race of the world's competition; and with regard to education he thought that the first duty which that House had to perform was to provide primary instruction for the great masses of the people. His hon. Friend had omitted to mention the great advantage which a man's genius gave to his labour. There were many persons in this country who were continually undergoing a system of self-education, not being much indebted to school education, and to that class the manufacturers of this country owed more than to those who were deeply skilled in science and art. He took a more cheerful view of the result of the Paris Exhibition than was entertained by his hon. Friend. According to the Report of an engineer artizan (Mr. Evans), published under the sanction of the Society, it appeared that in the engineering department of the Paris Exhibition there was nothing to surpass British workmanship for finish and soundness; and that for exactness and perfection of design nothing could exceed the tools of Messrs. Whitworth and Co. In like manner, it was stated in the work published by that society upon the Paris Exhibition that in the watch trade the English, taking quality into consideration, had really nothing to fear. From Coventry two individuals were sent to the Paris Exhibition, and the report drawn up by one of them stated that for the manufacture of good, plain ribands Coventry had no reason to be apprehensive of rivalry. Speaking generally, he thought that, instead of asking the Government to patronize the British workman, he should himself forego his invocations to Jupiter and put his shoulder to the wheel. The cotton trade was originated by self-teaching and self-help. Within his own recollection Mr. Heathcoat, formerly Member for Tiverton, commenced the lace trade in this country: he had no scientific teaching, but the manufacture succeeded so well that £1,000,000 a year, at least, is contributed to the public Revenue by those engaged in it. He should not despair of the working class, with only that education which he hoped the Government might give, keeping pace with the times; and he hoped manufacturers would keep pace with their workpeople. He would rather see efforts made out-of-doors to educate for particular trades than that the Government should provide that education. To prove that, after all, we were not so far behind our neighbours as some represented, he would mention this fact:—The French were reported to be, from their superior knowledge of chymistry, more skilled than ourselves in the art of dyeing, and yet, within the last fortnight, the manufacturers of Rouen had applied to the Manchester Chamber of Commerce for what information they could give with respect to the common art of dyeing. He did not think that our own workmen were sufficiently appreciated; yet it was well known that they were always applied to where great skill was required for the development of any new branch of trade. In the manufacture of steel it was said we were inferior to Prussia; but he had been assured by one of the most competent judges that we were not behind Prussia in that manufacture. We had formerly produced steel which others had converted into watch-springs; but now that branch of trade had sprung up among ourselves, and watch springs were largely produced in this country. This was a convincing proof that we were not retrograding in the race and struggle of inventions. With only a broad system of education he believed our course was perfectly clear. He had every confidence in the resources of the country, and he hoped they would be left unshackled by the Government, for any kind of patronage would rather retard than develope their resources. He hoped his hon. Friends would not press the Motion for a Committee.

MR. BAGNALL mentioned, as an instance of the want of education among skilled workmen, the fact that, some years ago, he required a manager for a very large and important iron works, and was obliged to give the appointment to a man who could neither read nor write. That occurred some eleven years ago, and he believed the difficulty in procuring educated workmen had scarcely lessened up to the present day. He hoped the noble Lord would not object to the appointment of a Select Committee upon this question; and he trusted the result of that appointment would be, that some provision would be made to provide a technical, scientific, and artistic education, not, first of all, for the working classes, but for those among whom one would look for managers of manufactories.

Mr. E. POTTER, as one well acquainted with calico printing, admitted, that in the higher class of goods the French excelled us in design and colour; but said that, although we imposed no duty, the importation of French prints had increased very slowly, and only amounted to £500,000 a year. Under our system of Free Trade it was impossible we could compete with them in the supply of their description of goods, as the manual labour required in their preparation cost 40 per cent less in France than in this country. He should be the last to oppose inquiry; but they should very carefully guard against any attempt to make grants for education to those who were very well able to pay for it themselves. Though schools of art had been in existence in this country for many years, the subscriptions for their support from manufacturers in all the great manufacturing towns did not exceed a total of £2,000 or £3,000 a year. If our employers of labour did not come forward as they ought to do to provide this education, it was not the duty of the Government to supply their deficiencies. The total number of artizans taught in the schools did not exceed 7,000 or 8,000. A great deal had been said about the Continental system of education; but what were its results? In France the cost per head was nearly double that in this country, and there was very irregular attendance, after all, in the schools, while the technical education which the students received had not enabled them to strike out any new path of practical industry. He hoped if the Committee were appointed its Members would be carefully selected, and that its investigations would be strictly confined to certain definite subjects connected with the progress of our own manufactures. The hon. Member for Birmingham (Mr. Dixon) stated that our manufactures were losing ground; but how did he reconcile that allegation with the fact that our exports and imports had doubled during the last twelve years, and that, notwithstanding the unfavourable circumstance that our manufactures were liable to a heavy duty at nearly every Continental seaport? All that we required and all that our manufacturers had a right to ask for was that our working classes should receive a sound and solid primary education.

Lord ROBERT MONTAGU was not at all disposed to dispute the position of the hon. Member for Banbury, with whose arguments he agreed in the main, and with whose general conclusions he concurred; and yet he ventured to differ from him upon a very few points. On the other hand, there was a great deal of truth in what had fallen from the hon. Members for Manchester and for Carlisle. He believed that competition was in a great measure the cause of the present cry for technical education. The hon. Member for Banbury said that during the French war our industries had been firmly established in this country; but that since 1815 foreign countries had been able to make great progress in their manufactures, and in a large degree to supplant those of this country; and that the cause had been their technical schools. There were, however, other reasons which could be assigned for the fact that foreign nations were catching us up in the race. Not thirty years ago there were but few manufactures on the Continent, and but few railways throughout Europe to distribute the produce; whereas at the present time the Continental nations had as many manufactures as we had, and their countries were intersected with railways, by means of which their productions were taken to foreign markets easily and cheaply, to compete with our own. To these circumstances it was due that we were beginning to feel the pinch of competition; our difficulties were not solely to be attributed to our want of technical education. He could, however, not agree with the hon. Members for Manchester and Carlisle in altogether making light of the case of the hon. Member for Banbury. Several deputations had had interviews with him lately on the subject of our manufactures, and had mentioned facts which had startled him much. He had learnt from them that a very few years ago no person abroad could compete with us in the manufacture of woollen goods, whereas at the present time upwards of £5,000,000 worth of wool was annually sent abroad to be dyed and worked up, instead of being manufactured in this country. He had been informed by Mr. Behren the chairman of the Chamber of Commerce at Bradford, that in the year 1864 upwards of £33,500,000 worth of woollen goods were manufactured in that town, yet that even that long-established trade, with all the exceptional facilities which Bradford possessed, could scarcely hold its own against foreign competition; and that at Rheims in France large quantities of our Australian wool were worked up, and the articles manufactured from it competed successfully in the market with those produced by this country. Why was this? Because that abroad they excelled both in their patterns and their dyes, in their art and science. The hon. Member for Manchester said that the dyers in this country were superior to the dyers on the Continent; but was the hon. Member aware that many thousands of pieces of Orleans —a fabric composed of wool and cotton— were annually sent abroad to France to be dyed? Again, with regard to silks, ribands, and velvets: fifteen years ago we imported only one-tenth, whereas we now imported nine-tenths of our annual consumption of those articles. This result was doubtless owing to some extent to Free Trade, but it was also greatly due to the superiority of the dye and finish of the articles made abroad. The hon. Member for Carlisle asked how could we complain of the want of technical education when we had doubled our exports and imports within the last few years. True, our imports of raw silk from China may have doubled, and our exports have increased; but we export the raw silk to be worked up abroad, and we import the manufactured article after it has been worked up. Why was this? Because the manufacturers abroad were superior in their style and finish — that is in their art and science. Mr. Mundella, a well-known manufacturer in Nottingham, had informed him that the lace trade of that town was beginning to fall away in consequence of the design and the workmanship being far inferior to that of Continental manufacture. Doubtless, many hon. Members had seen the Lyons lace which had been exhibited at the Paris Exhibition, the design of which was not a mere pattern, but was shaded like a picture. The lace manufacturers of this country never produced anything to compare with those fabrics. Unfortunately our inferiority was not confined to the lace trade. Messrs. Creed and Williams, in their letters which appeared in *The Times* last year, stated that France and Belgium supplied the greater part of Europe with iron. French and Belgian productions were fast supplanting those of this country both in Russia and Spain. Yet, Russia and Spain were in the first stage of railway development. This was a most significant fact. To show to what extent foreigners were succeeding in their competition with our workmen he might remind the House that a contract had recently been entered into for the erection of some new buildings at South Kensington; an immense number of iron girders which were required were brought from Belgium, although the contract for the buildings had been taken by an English contractor. Germany had been greatly retarded by the recent war. Yet what we had to fear from that country was sufficiently depicted by the list at the end of the answers from the Kendal Chamber of Commerce, which was among the Papers moved for by the hon. Member for Bradford. The hon. Member for Whitby had stated that in consequence of not being able to find a competent man to fill the post, he had been compelled to appoint as overseer a man who could neither read nor write. Complaints of a similar character were frequent; and he had been informed that in the large machine-making firms of Yorkshire and Lancashire the practical managers were generally selected from Germans who had been educated in the German Polytechnic Institutions. What was the cause of all this? England could boast of workmen inferior to none in energy and talent; she possessed more coal and iron, a cheaper transit, a seaboard, everything, in short, tending to superiority except technical education. Where the effect was different it was due to the only difference in cause. In England, trade was a tradition; it was a rule of thumb handed down from father to son. Abroad it varied with varying circumstances, and adopted new improvements. He could not help remarking that in the course of the discussions last winter upon this subject, no one had ventured clearly to define what it was that he meant by "technical education;" the speeches and articles were all like clouds, up in the air, and therefore led to no conclusion. The hon. Member for Westminster had defined education in his speech at St. Andrew's as "the effect produced on the mind and character by things which, perhaps, might have another purpose." That might be accepted as the definition of the genus, of which technical education was the species. If that were so, technical education must also be a means of forming the mind. The end was not to increase practical skill, but to enable a man to pursue his calling with intelligence. The object of technical education would be not so much to instruct the pupil in the mechanical branches of any particular trade as to make him acquainted with the general laws by which certain results might be obtained; for though the State might have a duty to perform towards the brains of its subjects, it was the workshop alone that could employ hands. He would say that technical education consisted in giving a workman such a knowledge of the natural laws involved in his pursuit that he could apply them intelligently to any case. If the end of technical education were to enable a person to procure, in greater abundance, the necessaries of life, then technical education would have a very low rank. The knowledge of medicine and dietetics are sciences which have for their end the preservation of human life. This is a much higher end. Moreover health has far more to say to happiness than money or an excess of the necessaries of life. Again, if the end of technical education were to increase the wealth of the country, it would rank very low. For to increase the intelligence and raise the character of the nation is a far higher end. If therefore technical education has the importance which is attached to it, it must have for its aim the improvement of the mind, and not the increase of trade. Let them now consider the species of technical education. There was a technical education for the artizans or those who produce for wages, and a technical education for the middle class, or the heads of firms, and those who manage factories. That for the artizans might be divided into two kinds, one of which —that for the girls—was, he believed, very much neglected, and yet he held it to be the most important of all. In elementary schools girls had to be taught sewing, as an absolute requisite before any grant could be made to the schools. Why was this? Because that sewing would be useful to them in after-life. Yet sewing could have no beneficial effect on their minds. How much more then should we require such branches of learning as would not only be useful in after-life, but will also tend to raise the character and mind. He would teach them how to make homes comfortable, how to bring up and teach infants —in fact, the whole art of household economy. He would give them habits of cleanliness and of thrift. In the Reports of the School Inspectors for this year he observed recommendations that cooking should be taught in elementary schools. It was mentioned that in one parish the church alms were not given to the poor in money; but were used for the purchase of provisions, which were cooked day by day in the schools, and then served out to the poor. The same alms thus served two charitable purposes. The importance of such technical teaching was very great. First, with regard to the nation—it was the wife which gave the character to the family, and the family was the cell of the nation. Secondly, with regard to the working man, the importance of it was shown by a comparison of the homes of the artizans at Manchester. Those of our English artizans were too often comfortless and uninviting, while those of the German artizans, receiving no higher wages, presented a great contrast. The difference arose from the fact that the females in the one case lacked that instruction which in the other had been carefully imparted when young. Thirdly, it would have an effect on our elementary schools. One cause of non-attendance was said to be poverty; it was shown in evidence before the Committee on Manchester and Salford Education, that this arose from the great quantity of money spent at public-houses. Why did the man frequent the public-house? Because his home was uncomfortable and cheerless. Alter this, and his children would attend the school. And, fourthly, this technical education would have a great effect on the girls themselves; it would train them for servants, and enable them to gain an honest, rather than cater for a base livelihood. He turned now to the effects of the technical education of lads. And first, as to the produce. A skilled workman was more productive, and caused less waste and spoiling of materials; so that the production by skilled workmen was greater. By skill he did not mean a knack, but a knowledge of physical laws, and a readiness in applying science. Again, it is frequently the dye of tissues—for instance, the colour of silks or curtains—which determines their sale; and the success of the dye depends on a knowledge of science. The sale of various articles—as shawls, ribbons, carpets—also depended on the design; while the shape of china goods, furniture, or ornaments, often determined the purchaser. This was the result of art. Secondly, as to the man himself. The great enemy to elementary education was what was termed the labour claims. Let them consider that point for a moment. No one rejects that which conduces to his ends in life. If, therefore, you desire that persons should seek elementary education, make it conduce to their aims. What was the end of the working man? To better himself in life. If your education will assist him in this, he will not despise the education which you give him. If you give a man a key to a treasure house, and he knows it, you will need no compulsory law to make him lift the latch. The education imparted in early youth had generally too little in view the advancement in after-life. Boys as a rule received the education which would be proper for a clerk, but other matters which might enable a lad to rise in life as he increased in age were generally neglected. Hitherto the means sought by working men to rise in life were unions to obtain less work and more pay. He believed that they now saw a better way; they were aware that by knowledge they would command a superior position. Their desire for knowledge was proved by the growth of science schools. While in 1860 there were only nine science schools in the country, with 500 scholars, there were in May, 1867, 212 schools, with 10,230 scholars, and in January, 1868, 282 schools, with 12,800 scholars. The existence of working men's Colleges all over the country, for higher scientific education, was an additional proof of the same proposition. They might, he believed, receive encouragement not only from the increasing desire for education which was exhibited by the working men, but also from the great advance which had been perceptible of late years. That advance dated from what was termed the Albertine movement — a movement which had its origin in the Exhibition of 1851, when the newspapers were teeming with articles lamenting the increasing superiority of foreign productions over those of English artizans. The Exhibitions in Paris in 1855, and in London in 1862, were attended with similar effects, but with this difference—that while in 1851 the excellence of French productions excited in the minds of the English a fear lest our nation should be distanced, the two subsequent Exhibitions caused an alarm in the minds of the French which was equally strong. The French were terrified as to their future place in the scale of nations; and the cause of all this alarm was due to the art schools which had been established since 1852. That this was so might be seen from the Reports of the French jurors appointed to attend the Exhibition of 1862. One of these Reports said—

> "The upward movement is visible, above all, among the English. The whole world has been struck with the progress which they have made, since the last Exhibition, in design. . . . It is impossible to ignore the fact that a serious struggle awaits France from this quarter."

The sculptors' Report said—

> "The progress made in sculpture by England has been immense since the Exhibition of 1851. She has made a gigantic advance."

The shawl designers—"Envy England her schools of design." The porcelain painters reported that—"The vast progress within the last ten years is due to the immense extension given to the study of drawing." Was not that a great encouragement to us, and a proof that we had taken the right road, and that all we had to do was to continue to travel on that road with patience? The French, in consequence of their alarm, appointed an Imperial Commission to consider the whole subject, and to look for remedies. That Commission recommended, firstly, the introduction of physical science into primary schools. We had done that by the Minute of December 22, 1867. Secondly, the French Commission recommended an increase in the number of evening schools—a matter dealt with by the Bill introduced that evening in "another place." Thirdly, they suggested the establishment of large central schools for giving technical education — a point to which he would presently refer. He would venture to throw out two more suggestions for consideration. Anyone who had been to the institution at Limehouse, or Hanwell Central District School would know the enormous value of places where pauper boys were taught a trade as well as general knowledge. Again, the statistics, contained in the evidence before the Manchester and Salford Education Committee, and relating to the industrial schools at Aberdeen were perfectly astonishing as to the rapid decrease of crime and poverty which they produced. By a Bill passed last year it was made compulsory on every union in the metropolis to have an industrial school, and he did not see why a similar provision should not be applied to every district throughout England. The reformatory schools had been found equally beneficial; and if all beggar and vagrant children were placed in them by a simple order of justices at petty sessions, it might be still more advantageous. What was so powerful to cure would do much to prevent. He now came to the education of the middle classes, in which, he believed, lay the whole gravamen of the charge. The hon. Member for Leeds had admitted as much. The whole tenor of the letter of the hon. Member for Banbury revealed that this was the *fons et origo mali.* It was said there was a great want of technical education for those classes in England; and it was asked why that want should not be supplied by the State? Now he asked, in turn, why should the State supply it? Eton, Cambridge, Oxford, and all middle-class schools were originated by local endowments; they were not paid by the State. It did not provide general education for the middle classes, and why, then, should it pay for their technical education? What had been the course pursued in regard to the farmer when he felt the effects of foreign competition? The technical education for a farmer is Scientific Agriculture. The State had not aided him by giving him such a technical education; but left him to adopt those mechanical appliances which saved labour, and to find out for himself those scientific processes which yielded the results he wished to attain. Since free competition had been brought about in 1846 the farmer knew that his livelihood depended on his possessing superior knowledge. In the same way, when the English manufacturer felt the pinch of competition, owing to there now being more manufactories abroad and more railways to distribute their produce than was formerly the case, he said it was not the business of the State to give him technical education in order to save him from that competition. Besides, the danger, after all, did not arise so much from want of technical education as from defective morals. An illustration of this was afforded by the practices resorted to by the throwsters and others employed in the silk trade. He took his statements from a letter by Mr. Bennoch, which had been moved for by the hon. Member for Bradford. The goodness of silk depended on its fineness and on its evenness. From China and Japan we procured silk of very different qualities. The Englishman reeled the coarse and uneven silk first, and then covered the reel with the finer and more even silk. The foreigner had been frequently deceived by this means; so that while English reeled silk had been depreciated 25 per cent within the last year, French and Italian silks had risen in price. The same practice prevailed in the throwing of silk. The throwster received, say, 100lbs. of silk at 30*s.* per pound. When thrown it should yield not more than 95lbs. of silk at 33*s.* 6*d.* per pound, and 5lbs. of waste or rough thread. The throwster did not remove the rough thread, however. Again, all silk contained 25 per cent in weight of natural gum; this must be boiled out before the silk could be properly dyed. Yet the throwster left this in, and also soaped the silk to make it smooth. Hence, our silk lost 35 per cent on boiling before it was dyed, and the foreign manufacturer would not look at it. If there was a little more honesty in trade, they would hear less of the cry about competition and technical education. And, moreover, if a trade languished from such a cause, should the State give money to revive it? Technical education, as he had said, was a means of cultivating the mental faculties. He was for giving a man all the knowledge and all the science he could, but he would certainly avoid equipping him for a trade. He would abjure schools for special training. They had already been tried in England. When the "Department of Practical Art" was first started, the object was to educate the artizan for special pursuits. And consequently every effort had been made to carry this out. Special masters were engaged; special classes were established for painting porcelain, metal working, and many other trades. Exhibitions of £40 were given, and every effort was made. But it did not succeed, because there was no demand on the part of the manufacturer for this superior artizan. Or if the superior artizan became a teacher there were no scholars willing to be taught by him; and so, when they had trained him they had made him a useless being. All these things depended on a demand on the part of the public. Hence, what they had to do was to educate the taste of the nation and create a demand, and all the rest would follow; but, of course, that could only be done slowly and by degrees. In 1853, special training was abandoned in England. The French Commission reported to the like effect. They said—

> "It is better to annex the school to the workshop, than the workshop to a school." "The *Real Schulen* of Germany are found dwarfing to the mind, lessen the culture of the intellect, and lead to materialism."

We should therefore teach the sciences which are applied to trades, but not the trades to which sciences are applied. We should aim, not at work, but at intelligence in work. The Dutch taught science in the evening after the day's work. With the French the scientific studies were carried on in the morning, while in the afternoon the practical part of the work was learnt in the different workshops in Paris. With regard to Germany the hon. Member for Banbury (Mr. Samuelson) in his letter said—

> "The apprenticeship schools themselves which I visited, with the exception of the one at Crefeld, drag on a languid existence, and the opinion is almost universal in Germany that for all trades, except those whose conditions approach to that of an art, as the designing and weaving of complicated patterns, and others of a similar kind, the true apprenticeship is in the workshop or factory."

The first thing to be avoided by the Government was the giving of special instruction, and the second was the establishment of State manufactories in order to encourage trade. State manufactories would actually stamp out and crush the trade itself. That stood to reason, because a private individual with his limited capital could not compete with the State, whose capital was practically infinite. The private individual had to pay for failures and mistakes, but the State did not smart under its failures. That was seen in the case of the manufactory set up by Louis Quatorze at Sévres. Sévres now stood alone in France. The example of Meissen in Saxony taught the same lesson. Meissen and Sévres were now beaten by Minton. The speech made by the hon. Member for Birmingham (Mr. Bright) among his constituents had been referred to. It was a very sensible speech. He said, they ought not to establish central technical schools in England. They were all very well abroad, being all of a piece with the policy pursued, where nothing was done by private enterprize, and everything was done by the State. Here, on the contrary, we left as much as possible to local action, and were jealous of central authority. If in England the Government was to begin to do everything, what would become of their Anglo-Saxon independence? It would soon dwindle away and disappear. But it was said that the foreigner had technical education forced upon him, while the Englishman groped his way, and struggled through failure to success. True; but you might buy central assistance at too high a price. History showed that the highest excellence in art might exist with the lowest moral degradation. Mere beauty of design could not save a State in which public spirit had evaporated. The decadence of a nation would not be stopped by grace in a cup and saucer. If the want really existed, those middle classes who were not ignorant of their interests, nor too poor to attain them, would surely supply it. The hon. Member for Banbury had asked him a question with respect to the new Minute of the 21st of December. Two classes of scholarships had been established by it. The first enabled parents to keep their children at the elementary schools longer than they otherwise would; that had already been applied for by about twenty schools; next came the science and art scholarship, which enabled the pupil to go away from his own neighbourhood to a College where he would study in the highest walks of science. The first of these scholarships was procured by competition among the children at any elementary school; one scholarship being given for every 100 children. The second was reached by competition among the science and art pupils. And thirdly, exhibitions were established which enabled students to proceed for three years to College. Thus the Minute provided a ladder by which the humblest pupil might reach the highest possible position to which education could help a man. The Minute had been in operation only three months, yet its introduction had already been followed by results which promised exceedingly well for the future.

Mr. BAZLEY wished to state, with reference to what had fallen from the hon. Member for Banbury (Mr. Samuelson) on the subject of London-made watches, that the watch he held in his hand had kept time with a variation of only two minutes during the last ten months.

Mr. BRUCE thought the House should feel much obliged to the noble Lord for his careful statement; he had touched upon many topics worthy of consideration, but his own opinion regarding the defects and shortcomings of our educational system was that the remedy would be found in measures of extreme simplicity. The simple fact was that our elementary schools were insufficient in number and quality, and that the want of good elementary schools, especially those of a supplementary kind, formed the real obstacle to the success of science schools. The remedy would be found in the improvement of our elementary schools, and the establishment of what the Commissioners had recommended—namely, schools which should take up the education of pupils after they had done with the elementary schools. But he was convinced we should be unable favourably to compare this country in point of education with Switzerland and Prussia until we had adopted such measures as were in force in those countries. Mr. Matthew Arnold had made a special Report on the canton of Zurich, which he described as about equal in population to the county of Leicester, and, presumably, not superior in wealth. The people of the canton were notoriously frugal, looking to the material prosperity of their country as much as any people in Europe, and not likely to be carried away by enthusiasm. What they did, it might be presumed, was done because they were satisfied it would pay. The canton had a University, a veterinary school, a school of agriculture, two great classical schools, and, besides other special schools, it had fifty-seven secondary and 365 primary schools. Many of these schools Mr. Arnold declared were among the best in Europe; then, how were these results obtained? Zurich devoted nearly one-third of its public income to education, although the canton possessed considerable endowments, and the parents paid more or less for the education of their children. These facts might serve to show that in any attempt to give efficiency to any new educational system, we must incur a considerable outlay. For his part, he believed that they had better make up their minds to establish a system by which the local expenditure should be locally raised and locally supervised.

**Lord JOHN MANNERS** said, he understood the right hon. Gentleman who had just addressed the House to have drawn an unfavourable contrast between the state of education in the county of Leicester and in the canton of Zurich. But he (Lord John Manners) did not think it was fair to pick out the county of Leicester for the purpose of that comparison.

**Mr. BRUCE** explained, that he had merely quoted Mr. Arnold's comparison of Zurich with Leicester in the matter of wealth and population.

**Lord JOHN MANNERS** observed, that the right hon. Member had given statistics to show Zurich's efficiency in educational establishments; he had said nothing regarding Leicestershire's, and his remarks, unless contradicted, would lead the public to imagine some frightful contrast existed between the state of education in Leicestershire and Zurich. ["No!"] Now, he should state that, as far as he was aware, there was nothing to justify such an imputation. There was one manufacturing town—namely, Loughborough—in that portion of Leicestershire which he had the honour to represent, and he ventured to say that there was no other town in England, or even in the canton of Zurich, which was better supplied with schools for the purpose of both primary and the higher branches of education.

**Mr. HENLEY** remarked that of all the strange things which had happened during the last two or three years nothing was more strange than the sudden discovery which some persons appeared to have made of what they called the extreme ignorance of our working classes, and more especially of our artizan class. The strange statements he had come across during the last few months had caused him the greatest surprise. Not three years ago a sort of general triumph was going on in the country over the singular progress of our people, and we were called on to rejoice in the marvellous growth of intelligence observable in the working man. This progress was so great that the wealth of the nation had been doubled in twenty years; and what had produced this? The skill of those very men whom it had been the pleasure of some persons during the last year or two to call all manner of names, in some cases hardly respectful. That increase of wealth which had been pointed to with so much pride had been created by those very men who, in his humble judgment, had not received their fair share of it. He might be right or wrong; but he thought it remarkable that they had heard nothing of this extraordinary ignorance both of masters and men, for the masters were not spared by many persons, until a kind of stoppage came in the great race of prosperity which we were running. As a looker-on he had read in the papers reports by those who had been about the Continent collecting information on the subject, and in every such report it came out, as if in a postscript, that those highly-educated and technically-educated workmen abroad always worked longer hours for less money than their ignorant English competitors. Whether it was desired to reduce English workmen to long hours and short pay he did not know; but that, as far as he had read, was the state of things on the Continent under the system so much commended. One gentleman of the name of Mundella, who gave an account of what he had seen at some place in Germany, after having alluded to the vast number of the workmen employed, added that to be sure many of them were without shoes or stockings. Now it might be that some of our fellow-countrymen expended a portion of their earnings in clothing themselves and their families instead of applying it to the purposes of technical education; and if they did so he thought the fact was very much to their credit. He was glad that the noble Lord had agreed to grant a Committee on this subject. His own opinion was that if they would give the people of this country a good elementary education those who had better heads than others would get the scientific education that would enable them to lift themselves out of the crowd. But they could not make seamen except upon the sea, and they could not make skilled workmen except in a workshop. They would only deceive themselves if they thought they could train English workmen in schools to be better workmen than they now were. He should wish to see them become better workmen if possible, because if they were better workmen they would be better citizens. But of all those who had talked about foreign competition abroad, not one had asserted that any particular process had been executed by a number of foreign workmen because they had been technically educated. It leaked out in all these cases that these men had worked longer hours for less money than our own workmen. That might be the secret of the competition for anything he knew. The hon. Member for Banbury (Mr. Samuelson) said something about these people abroad giving great attention to small economies. It appeared that he thought our English workmen quite above these small economies. They could not shut their eyes to the vast race which this country had been running for twenty years, in which men with money and men without money, but with credit, had run into all sorts of trades, their object being to find men who knew that which they themselves did not know. It was not possible that these men should find all that they wanted in that direction. It was, however, marvellous to see the extension of manufactures in this country during the last twenty years, to know how the workmen had been found, how they had adapted themselves to the new state of things, and to see the wealth that they had created. Notwithstanding the wealth these men had created and the sanitary improvements that had been made, it was lamentable to think of the frightful death-rate where large numbers of the people were gathered together. For the last twenty years there had hardly been in such cases any decrease of the death-rate. That was a most serious thing for their consideration. These men had been stimulated by considerable wages to create an amount of produce and wealth that was almost unparalleled, and it was astonishing how the demands of the world had been supplied. These men, too, who were so ignorant, were sent for all over the world to teach these "highly-educated people abroad." He was anxious that every means should be taken to improve the education and condition of every class; but there was something at the bottom of this cry about the ignorance of our work-people which had been raised during the last two years which he could not exactly see or understand. The right hon. Gentleman the Member for Merthyr (Mr. Bruce) talked about the agricultural schools of Zurich, but where, he (Mr. Henley) asked, was agriculture in a more advanced state than in England? Where was land to be found of the same fertility which produced a greater amount of produce? Calling men hard names was not a ready way to draw them, and without they had the people with them it was useless to attempt anything for their benefit; but he was sorry to say that during the last few years too many hard names had been applied to many of our fellow-countrymen. These artizans had certainly not had a fair share of that wealth which they had helped to create. It was only about a year and a half ago, in connection with the iron trade at the East End, they heard they must meet the "world's wages." Some gentlemen went over to Belgium, and they published a string of figures. They said that things were cheaper in Belgium but that the work was not so good. He had never seen that the foreign workman, man for man, could turn out more work by the same process than the English workman. But the masters got the work done for less money. He doubted whether, man for man, our men would not work the foreigners' heads off. He could only say that he never saw them put to anything that they did not do it.

Mr. T. T. PAGET merely rose to say that the right hon. Member for Merthyr (Mr. Bruce), in the remarks he made, did not convey to his mind the idea that he intended to cast any slur upon Leicestershire. That right hon. Gentleman merely drew a comparison between the position of the canton of Zurich and that of the county of Leicester, as affirmative of the advantages which might be derived in the case of that county from the adoption of a system of education which he was known so warmly to advocate, and of which he (Mr. Paget) was a warm supporter. He was not an advocate of all that which was called technical education, because he thought that it was in some measure a work of supererogation. Such was the opinion he entertained of the skill and knowledge possessed by the British workmen, that he had no fear that they would not be able to compete with the workmen of any country in Europe, if only they received the elementary education which would be afforded them by the scheme propounded by the right hon. Member for Merthyr. He did not believe that his native country was behind other counties in regard to education; but he believed that the present system of education might be greatly extended and ameliorated. Much knowledge on the subject, no doubt, might be obtained from our Continental neighbours, and with a compulsory rate, great advantages would result.

MR. ACLAND, after pointing out that farmers were the only class who had prosecuted technical education for the last twenty years, remarked, that the farmer and the manufacturing implement maker, the engineers and the manufacturers very well understood their own business—namely, how to make money; but he was convinced that the time had arrived when merely the art of money making would not enable this country to hold its position. In addition to capital and skill it had become necessary to diffuse amongst their workmen a sound scientific knowledge. He was of opinion that next to a good general education a knowledge of mathematics lay at the foundation of the manufacturing prosperity of this country. In three Registrar General's divisions lying on the coal field from Bristol to the north of Yorkshire there were 7,000,000 inhabitants, and instead of there being, according to calculations which had been made, about 70,000 boys in the public schools of that district learning mathematics, there were only 2,098, while the entire number learning natural science, such as it was, was only 1,009. The hon. Member for Leeds (Mr. Baines) had cast some blame on the Universities for not doing their part; but he had reason to know that immense efforts were making in the University of Oxford for the express purpose of enabling it to take its proper place in this country in teaching the general principles of science to all comers; and at the present time that University was spending £10,000 on a department of natural philosophy, limited strictly to the subject of physics. He believed Cambridge was equally alive to the importance of scientific teaching.

MR. SAMUELSON, in replying, said, he was glad the noble Lord had acceded to the inquiry he had proposed. With regard to the introduction of workshops into schools, which the hon. Member for Manchester (Mr. Bazley) had supposed that he favoured, he had never contemplated any such plan, which was being gradually abandoned in the Continental schools. As to Grants for middle-class education, he had not proposed the introduction of the system, as the noble Lord appeared to think, for, in point of fact, such Grants were already made in several cases—as, for instance, to the School of Chemistry and the School of Mines, and a contribution towards the endowment of a chair of engineering had been promised to Edinburgh; but he regarded it as a proper subject for inquiry whether grants of this kind should be continued or increased. As to extended hours of labour, he agreed with the right hon. Gentleman opposite (Mr. Henley) in deprecating that system, believing that such labour was in the end the most expensive.

Motion *agreed to.*

Select Committee *appointed,* "to inquire into the provisions for giving instruction in theoretical and applied Science to the Industrial Classes."—(*Mr. Samuelson.*)

And, on March 27, Committee *nominated* as follows:—Mr. ACLAND, Mr. AKROYD, Mr. BAGNALL, Mr. BAZLEY, Mr. HENRY AUSTIN BRUCE, Mr. BEECROFT, Lord FREDERIC CAVENDISH, Mr. DIXON, Mr. GRAVES, Mr. GREGORY, Mr. THOMAS HUGHES, Sir CHARLES LANYON, Mr. M'LAGAN, Lord ROBERT MONTAGU, Mr. EDMUND POTTER, Mr. POWELL, Mr. READ, and Mr. SAMUELSON:—Power to send for persons, papers, and records; Five to be the quorum.

## POST HORSE AND CARRIAGE LICENCES DUTIES, AND HACKNEY CARRIAGE DUTIES.

### MOTION FOR A COMMITTEE.

Acts relating thereto read—

MR. ALDERMAN LAWRENCE said, that in proposing a large reduction in these taxes on locomotion, and that a great change should be made in the mode of charging, and in the manner of collecting these duties, he was aware that he was considered by some to be infringing to a certain extent upon the prerogative of the Chancellor of the Exchequer, doubts having been expressed whether any Member who was not a Minister of the Crown was competent to move such a Resolution. He could assure the House, however, that he should confine his Motion within Parliamentary rules and regulations. The taxes to which his Motion referred were levied most unfairly and unequally; were collected at great expense to the Revenue, and involved a considerable loss of time, labour, and money to the parties whom they affected; and acted as restrictions opposed to the first principles of Free Trade, being alike injurious to the trader and the public. The House, and possibly the Chancellor of the Exchequer himself, might be surprised to hear that these taxes were levied in five distinct ways, formed five distinct items of account in the statement of the public Revenue, and, more extraordinary still, were paid on thirty different occasions in each year, some at one place and some at another. For instance, if the same person were the proprietor of an omnibus, a cab, and a brougham, let for hire in London, he would have to pay five distinct duties, and to make the payments in two separate places in the metropolis at thirty different times every year. The only wonder was that the system had lasted so long, and that the business of locomotion continued to be subjected to such exceptional imposts. The stage coach and omnibus mileage duty was levied at a uniform rate of a farthing per mile throughout England, Wales, and Scotland, and in the metropolis the duty was paid monthly at Somerset House. The amount of duty was the same whether the omnibus was drawn by one horse and carried eight passengers, or was drawn by two horses and carried twenty-five passengers, or was drawn by three or four horses and carried thirty-five or forty passengers. The annual licence duty, levied on stage coaches and omnibuses, in addition to the mileage duty, presented this difference, that three guineas were charged for those drawn by two or more horses, and 10*s.* only on those drawn by one horse and not carrying more than eight passengers. The licence duty was paid annually in the first week in November; but the mileage duty was paid monthly, the proprietors being compelled to send in monthly returns of the licence number on each omnibus belonging to them, the number of journeys run by each on every day during the month, the number of miles of each journey, the total number of miles and the amount of duty. Hon. Members might have observed men at different corners of the streets in the metropolis taking down upon slips of paper the number on the plate of each vehicle as it passed; these slips were sent in daily or weekly to Somerset House, to check the returns of the omnibus proprietors; and the cost of the ten or fifteen stations where these men took their stand was something like £1,500 or £2,000 a year. It followed, from what he had already stated, that the omnibus proprietors or their agents in the metropolis had to attend at Somerset House and make payments thirteen times a year for the duties. Throughout the country eight payments sufficed; but the House could imagine the amount of labour involved in furnishing and checking these returns. Ireland he excepted from the calculation altogether, because the system there was not identical with that prevailing in Great Britain. The post horse and carriage licence duties were levied differently in the country and in the metropolis. Hackney carriages, cabs and flys plying for hire in the public streets were taxed under these duties in every city and town throughout Great Britain, with the single exception of London. These duties were levied on an entirely wrong principle of taxation, and one which aggravated the difference between the man of capital and the man of small means. Although an alteration was made in the scale of duties in 1866, by the right hon. Gentleman the Member for South Lancashire, which somewhat mitigated the evil, yet the evil still existed, because the larger the business carried on the less in proportion was the duty paid. For example, under the present scale of duties, the proprietor of one horse and one carriage paid £5 per annum; of twenty horses and fifteen carriages, £70 per annum; and of fifty horses and twenty-five carriages, £100 per annum. These duties were paid differently from the stage-coach and omnibus mileage duty, being paid once a quarter or four times a year in advance at the nearest district office of the Inland Revenue, each proprietor making a return of the number of horses and carriages which he employed. Then with respect to cab duties, the grievance here was still greater. The proprietor of cabs at Liverpool, Edinburgh, Birmingham, Brighton, and other places paid the post horse duty, the charge for which commenced at £5 for one carriage, and diminished on each additional carriage in proportion to the number kept. But in London the proprietor of one cab had to pay £19 5*s.* per annum, and the like sum for each additional cab. This was enormous. That the system should have lasted so long was most extraordinary! It was true that if he used it only six days in the week he paid only £16 13*s.* But compare this amount with the sum paid in other towns. In the metropolis there were proprietors who had as many as fifty cabs, and they had exacted from them fifty times the charge of one cab. This was altogether a different principle from that of the post horse duty prevailing in the country. So that the proprietor of fifty cabs in London had to pay the enormous duty of £962 10*s.* per annum, while the proprietor of fifty cabs at Liverpool, Edinburgh, Brighton, &c., had to pay only £170 per annum. The complaint was often heard that the metropolis was not supplied with vehicles as it ought to be, and that the London cabs were not equal to those of Birmingham or Manchester and other English towns, and compared most unfavourably with those of Continental cities. But it should be remembered that in London the highest possible duty was exacted, and the lowest fare awarded, the fares being much less in London than in any other city or town. It was perfectly clear that between the two a very good article could not be supplied. The duty was originally imposed as a war duty, and hackney carriages and sedan chairs in London were taxed at the same time, when there were only 800 hackney carriages and 300 sedan chairs: it was made a security for a loan, and its duration was limited to thirty-two years; but it had not been taken off when the war had ceased, and had been allowed still to continue, to the great disadvantage of the public. The stage carriage duties and the post horse duties were originally imposed in 1779, the largest amount received from them being in the year 1836, when £524,500 was received for stage carriage duties, and £266,500 for post horse duties. The metropolis had submitted to those large taxes, because neither the public nor the cab proprietors were aware that they were paying so much in excess of what was paid in other towns, and he believed that even many Members of that House were not aware of the difference. It might be asked why were there so many cabs if they did not pay? But it was well known that they were starving the cabmen out, and it would be seen from the Returns issued at Somerset House that in April, 1867, the number of cabs in the metropolis had diminished by 304, and there had been a further diminution of 500 this year, and the number was still decreasing. It was all one trade whether cabs or omnibuses were employed, or post horses and carriages were let for hire, and why, then, was there such a difference made in the amount of duty and the mode of paying it? How did the cab proprietors pay the duty? Once a year they had to pay the licence duty of £1 for each cab, which was due on the 1st of January, and must be paid before the end of March in each year; they had to pay the remainder of the duty at Somerset House monthly. In this metropolis, there were 2,000 cab proprietors, of whom 1,400 owned only a single cab, and from the first Monday to the first Friday in each month the duty was received at Somerset House. There the men went in droves, and, although great improvements had been made in the mode of receiving the duty, yet it was well known that they were often obliged to wait one, two, or even three hours before they were able to pay it. The loss of time incurred in that way might be taken as equivalent to a loss of 2*s.* 6*d.* on each occasion, and if, from sickness or any other cause, a cab proprietor was not able to pay the duty between the first Monday of the month and the Friday following, immediately on the Saturday a summons was issued by a solicitor in Chancery Lane, and he had to go and pay that gentleman a fine of 10*s.* and make arrangements for paying the duty within a certain limited time. The cab proprietors were supplied with fresh licence number plates from Somerset House every three years, and an additional plate, with a different number, was affixed to each cab by the police, certifying that it was fit for public use. A saving of expense might be effected here. Now, the suggestion he would make was this—that all the present taxes should be abrogated and the restrictions removed, and in lieu thereof an annual licence duty, similar to the duty so successfully imposed upon dogs, should be levied, payable in one sum in advance. By this arrangement a great boon would be conferred upon the proprietors of public vehicles and the public, and a large saving would be effected in the heavy expenses now incurred in the collection of these taxes. He would suggest that an annual licence duty of £1 should be levied upon each horse, whether it was used to draw a cab, an omnibus, or a brougham let for hire; and that an annual licence duty of £2 should be levied upon each vehicle, whether it was a cab, an omnibus, or a brougham or other carriage let for hire, and drawn by one or more horses. The London cab proprietors required five horses for two cabs, so that the tax would amount to £4 10*s.* annually upon each cab, instead of the present duty of £19 5*s.* As to omnibuses, which required ten horses, £1 for each horse and £2 for the vehicle would give £12 for each omnibus in London, instead of the present duty of £24 per annum; and the same ratio would hold good throughout the country. As to horses and carriages charged under the post horse duty, one horse and one carriage would pay a duty of £3 per annum, instead of £5, and three horses and two carriages would pay £7 per annum, instead of £10 as at present. The Commissioners of Inland Revenue, in their tenth Report, pointed out, in reference to the post horse duty, that the circumstances of the times had completely changed since 1779, when this duty was first imposed, and that the incidence of a burthen originally borne exclusively by the wealthiest classes has been shifted to those who were formerly exempt from it. The people who are most affected by this tax are those who hire carriages, because they cannot afford to keep their own; and the posting business in the old form has almost entirely disappeared. Jobmasters in London and in the great provincial towns, and owners of flys which ply in the streets of those towns and at the railway stations are those who are primarily charged with the tax, and if the removal of it should not cause much reduction in the cost of hired carriages, it would undoubtedly afford more accommodation to the public by an increase in the number of such conveyances—especially at small railway stations in the country. The Commissioners of Inland Revenue also state, that the reduction which had now been made in the stage carriage duty was only a step towards placing it on the same footing as the railway duty, and that the present tax of $\frac{1}{4}$*d.* per mile on omnibuses was nearly twice their share of taxation at the same rate as the railways. The Commissioners were of opinion that the time must come when the subject would be taken into consideration. The one great advantage of placing the duty in the form in which he (Alderman Lawrence) had recommended would be the abolition of all restrictions whatever, thus enabling the proprietors of horses and carriages to use them in any manner they pleased. It would enable a tradesman in a small town, by paying £3 a year duty, to keep a horse and a waggonette, which he might use to carry passengers to and from the nearest railway station on market days, and also to let out the vehicle for hire when required. If he were to do this at the present time, he would have to take out two separate licences and pay two different duties. He would now state what the difference would be in the receipts under the present system and those which might be expected if his plan were adopted. He had been unable to obtain from the Report of the Commissioners of Inland Revenue an exact account of the duties received in 1867; but a Return moved for by his hon. Friend the Member for Manchester (Mr. Bazley) gave the figures. For the year ended 31st of March, 1867, the hackney carriage duties and licences amounted to £113,000; the stage coach and omnibus mileage duty and licence duties, and the supplementary and occasional licences, to £74,200; the postmasters' and jobmasters' licence duties to £141,400; and the drivers' licences to £3,300—making a total of £331,900. The higher duties had not all expired in 1867. For 1868, he was obliged to make an approximate estimate; but one which, he believed, would be found tolerably accurate. He estimated that the total amount of the duties for the year ending 31st of March, 1868, would be £294,000, consisting of hackney carriage duties, £104,500; stage coach and omnibus mileage duty, and licence duties, and supplemental and occasional duties, £46,500;

postmasters' and jobmasters' £140,000; drivers, £3,000. The change he suggested would cause a loss to the Revenue of about £120,000 or £125,000; but from this must be deducted the saving that would result from the reduction of the staff kept at Somerset House and throughout the country in consequence of the existing system, and also the saving arising from the abolition of the ten or fifteen stations in the metropolis for checking the omnibus duties. He was afraid that the Chancellor of the Exchequer, while not disputing his facts or denying that a change would be desirable, might plead the Abyssinian War, and the fact that other taxes were falling in amount. Now, he could not agree in the doctrine which had been laid down this evening—namely, that no re-adjustment of taxation should take place except when there was a surplus; because if that proposition were true, no burdens ought to be lightened till we had paid off the National Debt. Then, as to Abyssinia, since our expenditure, there was by millions and additional taxation had to be imposed, whether an additional sum of £100,000 had to be raised or not, could make no appreciable difference. But he (Mr. Alderman Lawrence) was able to suggest a plan by which, if the trade were thrown open, the Revenue for the year ending the 31st of March, 1869, would gain instead of lose by the change. Supposing the right hon. Gentleman the Chancellor of the Exchequer were to fix the alteration to take place on the 1st of October next (the time when the present stage coach and omnibus licences are renewable), and that the proposed annual licence duties of £1 per horse and £2 per vehicle should then become payable, he would receive before the 31st of March, 1869, the following sums:—namely, six months' duty on hackney carriages to the 1st of October, 1868, £50,000, and arrears, £4,000; six months' stage coach duty, £18,000, and arrears, £6,000; supplementary and occasional duties, £2,000; postmasters and jobmasters, £70,000, and arrears, £1,000; making a total of £151,000. The new duties payable on the 1st of October, 1868, may be estimated as follows: Hackney carriages (say 7,000), amount of duty, £31,500; stage coaches and omnibuses, £22,500; postmasters and jobmasters, £110,000; total amount of new duties, £164,000; making, with the six months' old duties of £151,000, a total amount receivable before the 31st of March, 1869, of £315,000, being a gain to the Revenue over the amount received for these duties in 1868 of £21,000. In addition to this, there would be the saving in the cost of the collection for the last six months of the year. He would not give the House the trouble of dividing; but would move that the House do resolve itself into Committee to consider the taxes on locomotion, with a view to their being revised, reduced, and equalized.

Motion made, and Question proposed, "That this House will immediately resolve itself into a Committee to consider the said Acts."—(*Mr. Alderman Lawrence.*)

MR. AYRTON said, that, in 1861, he presided over a Committee which investigated the subject of hackney carriages. The tax on these was originally a local tax, for the repair of roads in the metropolis; but it was found so profitable that it was transferred into the national Exchequer. There it had ever since remained. After the Committee reported deputations waited on the Chancellor of the Exchequer (the right hon. Gentleman the Member for South Lancashire), who intimated that it was desirable to re-consider the whole of the taxes on locomotion. The present Prime Minister, when addressing the House on the question of finance, recognized that principle, and stated that as soon as the state of the finances of the country permitted, he would consider the matter with a view to the abrogation of the present system. He was sorry that his hon. Friend had not contented himself with urging these general views; and that he should, instead of insisting upon the total remission of these taxes, have anticipated the functions of the Chancellor of the Exchequer, and proposed a sort of equinal Budget. It would be a great misfortune if the Government should undertake to re-adjust these taxes on the scheme which had been suggested, instead of applying themselves to their total remission. Instead of being able to repeal taxes on horses and carriages in this country, we were driving mules and carriages in Abyssinia. He was afraid it was hopeless to ask the Government to pursue the settled policy of the House, and to re-consider the whole of the taxes on locomotion. However, at present he should oppose going into Committee on the subject.

THE CHANCELLOR OF THE EXCHEQUER had already touched upon this question, and had said he thought it would be highly desirable, when a convenient opportunity arose, to consider the whole question of taxes on locomotion, and he saw no reason to change this opinion. Against one remark made by the hon. Member he must enter his protest. The hon. Member said that, at a time when we were spending millions, the spending of another £100,000 did not much matter. He would rather insist that when they were compelled to spend such large sums in one direction they were all the more bound to practise economy in another. The hon. Member estimated the financial loss in this instance at only £120,000. The loss estimated by that Department was £137,000; but it was also calculated that his proposals, though in effect a relief taken broadly, would in certain cases involve a considerable additional charge. For example, in one case, the average charge for a one-horse omnibus was now £2 10*s.* 7*d.*; but it would be £3 under the plan suggested; so that the hon. Member would impose there an additional charge of 9*s.* 5*d.* The House would hardly expect him on that occasion to enter into a question which ought to be considered in all its bearings. Even if the Government were prepared to make the sacrifice recommended, they would not be able to adopt the hon. Member's scheme in its entirety. He hoped that the Motion would be withdrawn, and that the question of the alteration of the duties on locomotion would be left to the proper occasion.

Mr. Alderman LUSK said, that if relief from these taxes were delayed until our finances were in the favourable condition desired we might wait a long time. He thought the thanks of the House were due to his hon. Friend for having called attention to this question, which pressed very unequally and unjustly upon cabmen and omnibus keepers.

Mr. Alderman LAWRENCE said, he was not surprised at the hon. and learned Member for the Tower Hamlets dissenting from any scheme he had not himself proposed. If the country was to wait for the time when the Government was prepared to remit the whole tax, he believed they would have to wait a very long time indeed. The Home Secretary was preparing a Bill to regulate the hackney carriages of the metropolis, and he could assure the right hon. Gentleman that it would be impossible to impose further restrictions upon the proprietors unless this enormous taxation were reduced. He would leave the matter in the hands of the Government, and withdraw his Motion.

Motion, by leave, *withdrawn.*

## BOROUGHS AND DIVISIONS OF COUNTIES BILL.—LEAVE.

Mr. GATHORNE HARDY moved for leave to introduce a Bill to settle and describe the Limits of certain Boroughs and the Divisions of certain Counties in England and Wales, in so far as respects the Election of Members to serve in Parliament. He said it was not necessary for him to make any statement, as there had been a Parliamentary Commission, and the Bill would be introduced in the shape in which the Commission had reported to the House; and he therefore simply moved for leave to bring in the Bill.

Motion *agreed to.*

Bill to settle and describe the Limits of certain Boroughs and the Divisions of certain Counties in England and Wales, in so far as respects the Election of Members to serve in Parliament, *ordered* to be brought in by Mr. Secretary Gathorne Hardy, Mr. Chancellor of the Exchequer, and Sir James Fergusson.

## LONDON COAL AND WINE DUTIES CONTINUANCE BILL.

(*Mr. Dodson, Lord John Manners, Mr. Hunt.*)

[BILL 43.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. CANDLISH moved that the House go into Committee on the Bill that day six months: firstly, in deference to a sense of duty to his constituents; and secondly, because he regarded the Bill as essentially bad in itself. The Bill did not propose to impose a duty upon coals brought into London; that existed already; but it proposed to hypothecate the coal duties for seven years, from 1882 to 1889, and so withdraw them from the control of Parliament for twenty-one years. The duties were obstructive to trade, and particularly to the coal trade of the Newcastle district. He was surprised that the Bill was not opposed by metropolitan Members; for the coal duties were a tax upon one of the first necessities of human life to the amount of 1*s.* 7*d.* per head per annum for each man, woman, and child in the London district. Coal, too, was one of the raw materials entering into nearly all our manufacturing operations, and hence these dues were a tax upon all our manufacturing processes. London ought to provide for its municipal necessities by local taxation, and not by *octroi* duties.

Mr. SAMUDA seconded the Motion. He believed the tax was much more injurious now than when it was first proposed. At first, London was the only district for manufactured goods; but now they met with competition all over the Continent. In France, for instance, all the materials for shipbuilding were free ; and coals were actually cheaper in France than in London, though this country supplied coal to all parts of the world. At this moment, the French manufacturers were paying 1*s.* 1½*d.* per ton less for coal than the manufacturers of London. The Bill was also objectionable because it proposed to deal with a tax which was not available at the present time; but which had been forestalled for the next twelve or fourteen years. That was a process which could only be likened to an extravagant youth selling a *post obit.* Among the many resources from which money might be obtained for metropolitan improvement none was so unjust as that proposed in the Bill. He should certainly follow his hon. Friend into the Lobby if the Motion were pressed to a division.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Candlish,*)

—instead thereof.

Mr. PEASE declared that the tax was opposed to the interests of the coal-producing districts, because the increase of price was a great bar to their industry. The collieries in the North were working four or five days a week, and were they to be exposed to a further detriment by means of this tax? It was a tax of 8 or 9 per cent on the shipbuilding in the River Thames, and when the industry of the Thames was crippled it was a fit time to call the attention of the House to this tax. It was a grievous tax on the poor of the metropolis, and injuriously affected the districts around the metropolis which derived no benefit from the City improvements. He opposed the Bill.

Mr. LABOUCHERE, while regarding this as an excessively bad mode of raising money, thought it better that the funds should be raised even from this source than that the improvements now in progress should be stopped. The noble Lord (Lord John Manners), he understood, proposed that a portion of the money should be expended out of the metropolitan police area in freeing the bridges over the Thames, and therefore it was not his intention to continue to oppose the Bill, in accordance with the Notice which he had placed upon the Paper. He should, however, move an Amendment when the Bill went into Committee.

Lord JOHN MANNERS remarked, that the opposition to the measure did not proceed from the representatives of the constituencies who would have to pay the duty; but from Gentlemen who represented constituencies in a remote part of the kingdom. The hon. Member for Sunderland (Mr. Candlish) had clearly explained the object of his opposition, when he stated that he spoke in the interests of his constituents; but in reality the hon. Gentleman was not correct in saying that the interests of his constituents would be in any way prejudiced by the Bill, for the coal duty, as it now existed, did not operate as a bar to the export of coal from Newcastle and Sunderland. The quantity of coal exported thence into the metropolis was annually on the increase. In 1863, the imports into London amounted to 5,127,000 tons; in 1864, to 5,476,000 tons; in 1865, to 5,909,000 tons; and in 1866, to 6,029,000 tons. The hon. Gentleman wondered that the metropolis did not find some local object of taxation in order to carry out local improvements as other towns did; but surely the hon. Gentleman could not be ignorant of the fact that a number of other large towns—such as Dublin and Brighton—had recourse to this very mode of levying funds for local purposes. When the hon. Gentleman opposite (Mr. Pease) objected to the tax as interfering with the consumption of coals, he ought not to overlook the fact that Newcastle itself placed an export duty of 2*d.* a chaldron on coal sent to the metropolis; and, until the hon. Member induced the municipal authorities of Newcastle to abolish that duty, it was hardly consistent in him to endeavour to withstand the wishes of the inhabitants of the metropolis and to oppose the present measure. The hon. Member for Tavistock (Mr. Samuda) had suggested that the Government might propose some substitute but surely it was the duty of the opponents of the Bill to make a suggestion on that point. The House would remember that two years ago the Metropolitan Board of

Works proposed to make three most necessary improvements in the metropolis, stating at the same time that they had not the requisite funds to carry them out. These three measures were submitted to the Committee over which the hon. and learned Member for the Tower Hamlets presided, and the Committee, after taking evidence, came to the determination by a majority of votes that these public improvements should be carried out by a continuation of the Coal and Wine Duties. That determination was sanctioned by the Government, the City of London, who had in hand the Holborn Valley Improvement, and the Metropolitan Board of Works. Last year fifty-nine Petitions were presented from different bodies who would come under this taxation, praying that the Bill might be passed into law. Under these circumstances—without saying that this was the best system of taxation, or that some better system might not in course of time be devised—he was confident that if the House wished the immense public improvements of the Thames Embankment, the widening of Park Lane, and the viaduct over the Holborn Valley to be carried out, it would reject the Amendment which had been moved.

Mr. WATKIN trusted the House was not to be considered as a mere vestry meeting in the City of London; for the question affected not merely the metropolis, but the production of minerals all over the country, and also manufactures within the district of the metropolis itself. The tax was not going to expire until 1882. Surely, under the circumstances, this measure might be left for the consideration of a Parliament elected by household suffrage. Had the small consumers who suffered most from the existence of the tax met together to say that this was a desirable form of taxation? In the country the people said that in consequence of this tax, which they called a tax upon production, trade was being abolished. He thought the noble Lord (Lord John Manners) might very well postpone this Bill, as there were several years to consider it. He hoped the hon. Member for Sunderland (Mr. Candlish) would not be intimidated, but go to a division upon his Amendment.

Mr. GOSCHEN said, what the House really had to consider was this—the House having sanctioned certain Bills for certain improvements, how were those improvements to be paid for? He was not going

to say that the coal tax was the best tax; but what he asked was, from what source of revenue were the improvements to be carried out? That was a question which might be fairly put before the House. When the Acts sanctioning the improvements had once passed, it seemed to him a somewhat illogical proceeding for hon. Gentlemen to oppose the only mode of carrying them out. The hon. Member for Stockport (Mr. Watkin) said that, in the country, people did not like this matter to be looked upon from a metropolitan point of view; but he would remind the hon. Gentleman that what the people of the metropolis had to look to was, whether they preferred an increase in their rates, or the passing of the noble Lord's Bill. If hon. Members would propose some means by which the funds could be got without increasing the taxation of the metropolis, they would perform a considerable service to the metropolis; but he had not heard of any counter proposal. Surely the people of the metropolis were the best judges of what taxes they ought to bear, and he might say that the working classes of the metropolis strongly protested against any increase of taxation. He did not say the measure of the noble Lord was the best measure that could be produced; but, seeing that there was no alternative proposal before the House, he had no option but to vote with the noble Lord. The House had sanctioned all the works for which this tax was to provide—for instance, the Holborn Valley improvements. For these, a 6*d.* improvement rate had been proposed, but it had been rejected by the efforts of the hon. Member for the Tower Hamlets (Mr. Ayrton), and now no resource was left except the coal tax.

Colonel HOGG, as a member of the Metropolitan Board of Works, could tell the hon. Member for Stockport (Mr. Watkin) that, unless this Bill was passed, it would be impossible, from want of funds, to make the approaches to the Thames Embankment. It would also be impossible to complete the improvements in Park Lane, or to finish the Chelsea Embankment; and he might add that the latter work was necessary for the completion of the low level sewer.

Mr. AYRTON said, that in the Select Committee which had been referred to, he made a proposal against the continuance of this tax; but the noble Lord the Chief Commissioner of Works proposed an Amendment, and that Amendment was carried, because the hon. Member for South Northumberland, who was appointed on the Committee to protect the interests of the coalowners, voted with the noble Lord. Therefore, if the coal-owners suffered they ought to know whom to blame. The right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) approved his scheme. The present Government also adopted it, and the noble Lord introduced his Bill continuing the Coal duties while he was requested to bring in his Bill; both were to proceed *pari passû*. It was found to be impossible to pass his Bill last Session, and the noble Lord withdrew his. In the present Session, his right hon. Friend (Mr. Goschen), the Member for the City of London, brought forward the subject of metropolitan finance, and the Government thought it their duty to consider the question, and accept the responsibility of proposing a scheme to carry out metropolitan improvements. This Bill was accordingly introduced. The responsibility rested entirely with the Government, and the metropolitan Members had no option but to accept it, although they considered it a very bad Bill.

Colonel W. STUART complained of the injustice of taxing rural districts for metropolitan improvements, simply because the coals they consumed passed through London.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided:*—Ayes 147; Noes 33: Majority 114.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 1 *agreed to.*

Clause 2 (Coal Duty of Fourpence to be applied by Corporation of London for Improvements).

Mr. LABOUCHERE moved, to add words to allow the Corporation of London to give a drawback for the coal duty to certain manufacturers carrying on business within half a mile of the county of Bucks. He explained that it was intended that this power should have reference to certain papermakers, whose places of business were just within the line of taxation, and who had to compete with other papermakers whose places were just on the other side of the line.

Mr. AYRTON said, the chief objection to the insertion of the words was that the Mayor and Corporation of London had no power whatever over these duties, which were paid into the Treasury. The last time the House passed this Bill the town of Hertford, which was under the patronage of the then Prime Minister, was exempted from its operation. He did not know whether the county of Bucks was under the patronage of the present Prime Minister. Perhaps it would be better to exempt from the operation of the Act the coal used in all manufactories.

Mr. COWPER denied that the town of Hertford was mentioned in any Acts of Parliament relating to this subject.

Colonel HOGG opposed the Amendment.

Mr. LOCKE observed, that although the name of Hertford was not expressly mentioned in any of these Acts, alterations had been made in the boundaries of the district affected by the Act, which had had the effect of excluding Hertford from its operation.

Lord JOHN MANNERS said, it would be very difficult to adopt the proposition of the hon. Member for Middlesex, as it would interfere with the boundaries which had been fixed by competent authority.

Mr. LABOUCHERE said, he would withdraw his Amendment.

Mr. AYRTON said, as the Amendment had been withdrawn, he should move the addition to Clause 2 of the following words:—

"For every ton of Coals consumed for any purpose of manufacture in any factory separate from any dwelling house, there shall be allowed to the consumer of such Coals a drawback of one shilling a ton, provided such consumer shall comply with such regulations and conditions as may be prescribed by the said mayor, aldermen, and commons, and approved by one of Her Majesty's Secretaries of State, to ascertain the amount of such drawback, and to prevent any abuse therein."

There were other industries besides those which had been mentioned; he referred especially to the case of the iron shipbuilders, upon whom the tax of 1*s.* 1*d.* per ton was peculiarly oppressive.

Amendment proposed, at the end of the Clause, to add the words—

"Provided, That for every ton of Coals consumed for any purpose of manufacture in any factory separate from any dwelling house, there shall be allowed to the consumer of such Coals a drawback of one shilling a ton, provided such consumer shall comply with such regulations and conditions as may be prescribed by the said mayor, aldermen, and commons, and approved by one of Her Majesty's Secretaries of State, to ascertain the amount of such drawback, and to prevent any abuse therein."—(*Mr. Ayrton.*)

Lord JOHN MANNERS regretted that he could not assent to that Amendment. The Committee having sanctioned the continuance of those dues for the limited period of seven years, on the assumption that they would be levied on all classes of consumers within the prescribed radius, it was now impossible to exempt a large class of consumers from their operation. If such an exemption were allowed, it would be necessary to impose those dues for an additional number of years. If there was a class of persons who ought to contribute their fair share of the funds required for cleansing and embanking the Thames, improving the thoroughfares, and all the other great works to which the coal dues were applicable, it was the manufacturers, who by the nature of their business did so much to obstruct those thoroughfares and pollute the river.

Mr. WATKIN supported the Amendment, and asked for statistics as to the proportion which the amount of coal tax collected from the manufacturers bore to the total proceeds of the impost.

Mr. LOCKE said, that what the manufacturers complained of was that, while they paid as high rates and taxes as the rest of the community as ordinary householders, they were subjected to a heavy extra tax on the trade they carried on. The Thames iron shipbuilders naturally had to pay more for their coals than their rivals on the Clyde, and yet an additional impost of 13*d.* per ton was extracted from them for the fuel they consumed. He should support the Amendment if it were pressed to a division.

Mr. SAMUDA also pointed out the onerous character of the tax as affecting the struggling iron shipbuilders of East London, who had lately been called upon to pay rates, not on their buildings alone, as formerly was the case, but also on their plant. Within the last seventeen years fifteen of the shipbuilding firms of the metropolis had failed in their business, or discontinued building, and these firms had during their existence employed 4,000 persons; which really meant that they had provided the means of support to about 20,000 individuals. It was now vitally important that the trade should not be too heavily loaded with taxation. He thought that some such Amendment as that proposed by the hon. and learned Member for the Tower Hamlets should be adopted.

Colonel HOGG remarked, that as the evidence given before the Committee showed, in spite of the taxation complained of, the profits on the London shipbuilding trade at the time admitted of one of the witnesses making extensions which would cost £100,000—a fact which justly excited comment on the part of the Committee. He opposed the proviso on the ground that the tax was absolutely necessary to meet engagements entered into. The noble Lord had given every possible care and attention to the affairs of the metropolis, and all persons connected with it ought to be grateful to him.

Mr. GOSCHEN said, he should be reluctant to throw difficulties in the way of the manufacturers; and, if the case were perfectly free, he should be inclined to vote for the Amendment; but they were in reality discussing what was to happen sixteen years hence. He regretted that their taxation should have reached such a point that they were obliged to begin to pledge the revenues that would only accrue sixteen years hence. For his part he would rather say let them get rid of the matter as soon as they could. He thought it would be better to leave the tax as it was than to begin and establish differences which could not begin until sixteen years from the present day. The difficulty would arise of deciding what was a manufacture at the interval of sixteen years, and he therefore thought it would be best to allow the matter to stand as it is.

Mr. AYRTON thought that his right hon. Friend was mistaken in supposing that the proviso would not take effect at once, and, in case he was not mistaken, he would alter his proviso to the extent that it should take effect from and after the day on which the Bill may pass.

Question put, "That those words be there added."

The Committee *divided*:—Ayes 30; Noes 146: Majority 116.

Clause *agreed to.*

Remaining clauses *agreed to.*

Lord JOHN MANNERS said, that it being felt as a grievance by those who lived in the district outside the Metropolitan Board's area, but who were, nevertheless, subject to the Coal and Wine

Duties, that they could receive no direct benefit from their imposition, he begged leave to move the addition of the following Clause:—

> "That the several Coal and Wine Duties by this Act continued for the year ending the fifth day of July, one thousand eight hundred and eighty nine, shall be applied in the first instance in freeing from toll the following Bridges on the Thames: viz., Kew, Kingston upon Thames, Hampton Court, Walton upon Thames, and Staines; and next in making free from toll Chingford Bridge and Tottenham Mills Bridge upon the River Lee; and should there be any surplus remaining the same shall be applied as Parliament may hereafter direct."

Mr. Alderman SALOMONS proposed, that in the event of any arrangements being proposed for freeing toll-bridges by means of the Coal and Wine Duties, the Creek Bridge at Deptford should be included.

Sir GEORGE BOWYER thought the two bridges at Battersea should be included.

Mr. LABOUCHERE said, if the clause was to include bridges within the metropolitan area, the dues would have to be continued for a much longer time.

Mr. GOSCHEN said, the boon was given distinctly as a compensation for those bridges beyond the metropolitan area, the inhabitants of those districts receiving no advantage from the tolls.

Lord JOHN MANNERS said, that to include the bridges within the metropolitan area would be a departure from the principle upon which they were asked to agree to the clause. He trusted that the hon. Member for Greenwich (Mr. Alderman Salomons) would withdraw his Amendment.

Mr. Alderman SALOMONS said, that rather than have his Amendment rejected he would withdraw it.

Amendment, by leave, *withdrawn.*

Clause *added* to the Bill.

Mr. AYRTON moved a clause providing for the audit of the accounts.

At the suggestion of Mr. Sclater-Booth, the clause was withdrawn, with a view to its introduction upon the Report.

Mr. WALDEGRAVE-LESLIE remarked that the Bill had no Preamble. To supply the deficiency, he moved the adoption of the Preamble of the previous Continuance Act.

Lord JOHN MANNERS had been assured by the highest authority that a Continuance Bill like this required no Preamble.

Motion *negatived.*

House *resumed.*

Bill *reported;* as amended, to be considered upon *Thursday.*

## RAILWAYS (GUARDS' AND PASSENGERS' COMMUNICATION) BILL.

(*Mr. Henry B. Sheridan, Sir Patrick O'Brien.*)

[BILL 66.] SECOND READING.

Order for Second Reading read.

Mr. STEPHEN CAVE said, he would ask the hon. Member for Dudley (Mr. H. B. Sheridan) to postpone the second reading; partly, because the Bill had not been distributed, though he believed it was in the Bill Office; and partly, because clauses requiring a communication to be made between the guards and passengers of railway trains had been introduced in a Bill brought into the other House by his noble Friend the President of the Board of Trade. It would be more convenient to wait until that measure came down to them, and then the House would see whether the principle for which the hon. Member had so long contended had been sufficiently carried out in the Government Bill.

Mr. H. B. SHERIDAN said, he had no objection to the course proposed by the right hon. Gentleman.

Second Reading *deferred* till *Tuesday,* 21st April.

## COMPULSORY CHURCH RATES ABOLITION BILL—[Bill 72.]

(*Mr. Gladstone, Sir George Grey, Sir Roundell Palmer.*)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Gladstone.*)

Mr. HENLEY hoped the right hon. Gentleman the Member for South Lancashire would not go on with the Bill. ["Oh, oh!"] He thought reasonable time ought to be given to consider the Bill as it now stood. The Amendments have been put in by instalments, and time ought to be given to consider them. ["Oh!"]

Sir ROUNDELL PALMER said, the right hon. Gentleman must well know that the Amendments were the result of the discussion which had taken place upon the Bill, and in reality did not alter the general character of the Bill at all. The Amendments were some days on the Paper, and no hon. Member offered any objection to them. The object of the new clauses had been to put church rates in parishes under local Acts as nearly as possible on the same footing with church rates elsewhere; to prevent the parishioners in new parishes from voting in respect of voluntary rates at vestries of the original or old parishes; and to allow owners the option of paying the rate instead of occupiers, giving them a vote in case they did so.

Mr. NEWDEGATE said, it was his intention to move the adjournment of the House. ["Oh!"] The hon. and learned Gentleman who last addressed the House had not said a word as to the purport of the Bill as it now stood. He (Mr. Newdegate) could show that the Bill as it now stood virtually infringed the parochial system of the country. He begged to move the Adjournment of the House.

Whereupon Motion made, and Question, "That this House do now adjourn,"—(*Mr. Newdegate,*)—put, and *negatived.*

Question again proposed, "That the Bill be now read the third time."

Mr. SCHREIBER, remarking that it was not desirable that the House should adjourn until the Mutiny Bill had been introduced, moved the adjournment of the debate.

Motion made, and Question put, "That the Debate be now adjourned." — (*Mr. Schreiber.*)

The House *divided:*—Ayes 28; Noes 131: Majority 103.

Mr. NEWDEGATE said, that as the Motion for the third reading had been made after one o'clock in the morning, and as great exertions had been made to collect the party opposite while there were but few on that (the Ministerial) side of the House, he would make no further opposition. He would only say that the Bill would destroy the parochial system of the Church of England.

Original Question put, and *agreed to.*

Bill read the third time, and *passed.*

*Sir Roundell Palmer*

### INVESTMENT OF TRUST FUNDS ACT AMENDMENT BILL.

On Motion of Mr. Henry B. Sheridan, Bill t amend the Investment of Trust Funds Act, *ordered* to be brought in by Mr. Henry B. Sheridan and Mr. Ayrton.

### REVENUE OFFICERS DISABILITIES REMOVAL BILL.

On Motion of Mr. Monk, Bill to relieve certain officers employed in the collection and management of Her Majesty's Revenues from any legal disability to vote at the Election of Members to serve in Parliament, *ordered* to be brought in by Mr. Monk, Sir Harry Verney, and Mr. Otway.

Bill *presented,* and read the first time. [Bill 76.]

### MUTINY BILL.

On Motion of Mr. Dodson, Bill for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, *ordered* to be brought in by Mr. Dodson, Sir John Pakington, and The Judge Advocate General.

Bill *presented,* and read the first time.

### WAYS AND MEANS.

Resolution *reported;*

"That, towards making good the Supply granted to Her Majesty for the Service of the year ending 31st day of March 1869, the sum of £6,000,000 be granted out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland."

Resolution *agreed to:*—Bill *ordered* to be brought in by Mr. Dodson, Mr. Chancellor of the Exchequer, and Mr. Sclater-Booth.

Bill *presented,* and read the first time.

House adjourned at half after One o'clock.

## HOUSE OF COMMONS,

*Wednesday, March* 25, 1868.

MINUTES.]—Public Bills—*Second Reading*—Grand Jury Cess (Ireland) [14], *negatived;* Tancred's Charity [67], *negatived;* Consolidated Fund* (£6,000,000); Mutiny.

*Committee* — Industrial Schools (Ireland) [6]—[r.p.]

## IRELAND—THE TOWER OF ARDFERT —KERRY GRAND JURY.

### QUESTION.

The O'DONOGHUE said, he rose to ask Mr. Attorney General for Ireland, Whether, as a Conditional Order has been granted by the Court of Queen's Bench to quash a Presentment of the Kerry Grand Jury, enabling Mr. Crosbie of Ardfert to close up the roads leading to as well as the Tower of Ardfert, it is not illegal for Mr. Crosbie to take any further steps in the matter, pending the final decision of the Court of Queen's Bench? He might, perhaps, be allowed to add that he has been informed that the proceedings of Mr. Crosbie have created great consternation amongst the people; and that he asked this Question in order, if possible, to prevent any rioting or breach of the peace in the neighbourhood.

The ATTORNEY GENERAL for IRELAND (Mr. Warren) said, in reply, he was not aware that it was the province of an hon. Member to ask Questions of the Law Officers in reference to a civil case pending before a Court of Justice, and as this was a Question of that sort he could not enter into any explanation of it. In fact, the matter to which the hon. Member's Question referred was entirely one of a private dispute. It was one in which the Attorney General had no right or power to interfere, and, as he had told the hon. Member privately yesterday, if there were any legal remedy it could be sought in the ordinary way.

## GRAND JURY CESS (IRELAND) BILL.

(*Mr. Stacpoole, Mr. Corbally, The O'Conor Don.*)

[BILL 14.] SECOND READING.

Order for Second Reading read.

Mr. STACPOOLE, in rising to move the second reading of this Bill said, it was a measure which would be received in Ireland with a great deal of gratitude. Its object was to oblige Irish landlords to contribute directly to the county cess; to effect an equitable distribution of it between the landlord and the tenant; and to give the occupiers some control over the expenditure, by fuller representation of the cess payers at the presentment sessions. At present all the cess was paid by the occupiers, and the landlords paid none of it, or only paid the cess on any tenements they held in their own hands; though the improvements effected by the expenditure of the cess in the formation of roads increased the value of their property. As Grand Juries were at present constituted, the cesspayers had really no voice in the determination of the amount of cess to be levied.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Stacpoole.*)

The Earl of MAYO said, he hoped the hon. Gentleman (Mr. Stacpoole) would not press the second reading, as the whole question of the Grand Jury Laws, which involved the subject dealt with by the Bill, had been referred to a Select Committee at the instance of the hon. and gallant Member for Roscommon (Colonel French). The House, having taken that step, would not think it right to express any opinion upon the subject till the result of the labours of the Committee should be known. The county cess was not wholly paid by the occupier. The proprietors paid their proportion of it. It was, in fact, a charge upon the land, and it came eventually out of the landlord's pocket. It might be a subject for the Committee to inquire into whether, in reference to future lettings, the incidence of the county cess should not be assimilated to that of the poor rates; but existing contracts could not be disturbed without inflicting great injustice. He begged to move, as an Amendment, that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*The Earl of Mayo.*)

The O'CONOR DON agreed with the noble Earl in thinking, that while the Select Committee was sitting it would not be expedient to go on with the present Bill; but he suggested that the Bill might be read a second time on the understanding that it would not be pressed further on at present. If, as the noble Earl had stated, the landlord in reality paid the cess ultimately, that fact would constitute a strong argument in favour of the Bill, as the landlord could suffer no wrong in being required to pay directly what he at present paid indirectly.

Sir HERVEY BRUCE hoped the hon. Member in charge of the Bill would agree to the suggestion of the noble Earl, and postpone the second reading. He was not prepared altogether to oppose a measure of the kind; but he thought that the present time, when a Select Committee was taking into consideration the whole question of the Grand Jury laws, was inopportune for the discussion of the Bill.

Mr. POLLARD-URQUHART joined in requesting his hon. Friend not to press the second reading at present. In Ireland there were many tenants-at-will who held their lands upon an understanding that their rents should not be increased; but if this Bill should be passed in its present shape he feared these rents would be increased, and that, in consequence, much heartburning would be created in Ireland.

Mr. BAGWELL said, the Select Committee had been arranged since this Bill was brought in by his hon. Friend, and therefore he did not think it would be fair to stop its progress in a peremptory manner. He would suggest that the second reading should be agreed to, upon the understanding that the Committee should be postponed till after the Report of the Select Committee.

Mr. MURPHY said, it appeared to him that the principle of the Bill was not objected to, and he would therefore suggest that, after the second reading, it should be referred to the Select Committee of the hon. and gallant Member for Roscommon.

Mr. BLAKE expressed a hope that the Chief Secretary for Ireland would consent to the second reading, in order that the Bill might then be referred to the Select Committee on Grand Juries, lately appointed. The principle contained in the Bill was a very important one; and if the noble Earl would not yield to the appeal made to him by so many Members, he hoped his gallant Friend would go to a division, so that those who, like himself, considered the present system an unjust and impolitic one, would have an opportunity of recording their protest against it. Hon. Members opposite had stated that when a tenant took a farm, he knew he was to pay all the Grand Jury rate, and that he got his land for less in consequence. No doubt the tenant did know he was to pay all this rate, but he never could calculate what it would amount to; and then it was pretty certain that there was little abatement in the rent in consequence of the landlord not having to contribute a portion of the tax. The anomalies connected with the levying and expenditure of county cess were remarkable. One of the great principles of the Constitution, which says there shall be no taxation without representation, was flagrantly violated. The man who paid the tax, with few exceptions had no voice whatever in appointing those who were to expend it; and, practically, he had no control over that expenditure, no matter how extravagant it might be. To speak of the associated ratepayers was absurd—they were the nominees of the Grand Jury, and even if a few of them would venture to act independently, they could be overborne by the magistrates associated with them. As the law stood, the landlord had every inducement to heap as much cess on the tenant as he could. For if, by the contributions of the latter, better roads and bridges and other works of utility were constructed near his property, the latter would be enhanced in value, and the poor tenant, as often occurred, would find that the only result to him of paying heavy rates would be to enhance the value of his farm for the benefit of his landlord, and then to have the alternative of paying an increased rent or suffer eviction. If the landlord paid half the rate, he would be more economical in the expenditure, and the tenant would be in less danger of suffering, as now, in consequence of improvements made with his money. A very striking injustice to the occupier was the obligation he was under for the entire support of pauper lunatics, whilst he only paid for half the maintenance of those who were sane. At the town he (Mr. Blake) represented the poorhouse and lunatic asylum were nearly opposite to each other. So long as a pauper retained his senses, the farmer contributed only a moiety to his support; but the moment he lost them, and was sent across the road to be locked up, the unfortunate farmer had not only to pay all the expenses, but the cost was doubled as well, owing to the larger expenses attendant on the care of the insane; so that the occupier was mulcted to four times the extent he paid before, and so continued to be unless the lunatic recovered or became an idiot, in which event he crossed the road again to the workhouse, was maintained at half the cost as before, and the landlord had to commence again to contribute his quota. Now, surely that state of things called for amendment. The hon. Baronet the Member for Coleraine had complained of the constitution of the Committee, and that some Members on it had never served on Grand Juries. Even if they had not, they might make very good judges of the reform required. But he never doubted if there was a single Gentleman on it who had not been at some time a grand juror. He (Mr. Blake) could not boast of being an important county man, or possessing much influence, but there were few who had given more attention to the question of Grand Jury reform. He had framed Bills to effect that object, and brought them forward for two years in succession; and though he did not pass them, he ventured to think he did something towards calling attention to the subject, and for that reason, he presumed, he had been placed on the Committee.

MR. KENDALL thought the Bill ought not to be pressed forward without further consideration.

COLONEL FRENCH observed, that if the Bill were now read a second time its principles would be sanctioned. Now, the Bill, although plausible, was most delusive. So far from being beneficial, it would be highly injurious. It would unsettle the relations between landlord and tenant, and create discontent where it did not now exist. It would also throw difficulties in the way of the Select Committee on the Grand Jury Laws of Ireland.

MR. O'BEIRNE said, he wished to add his earnest appeal to the noble Earl (the Earl of Mayo) to withdraw his opposition to the second reading of this Bill; and he did so, encouraged by the fact that with the exception of his hon. and gallant Friend, the Member for Roscommon (Colonel French), every Member who had addressed the House, including the noble Earl himself, had expressed assent to the principles of the Bill. ["No, no!"] He (Mr. O'Beirne) repeated his statement; it was so. The only objections taken were that the whole question was now under consideration by the Committee recently appointed, who had but just commenced their sittings, and that it would be a discourtesy to that Committee if the House expressed any opinion upon one branch of a subject, the entire of which had been so referred. Another objection offered was that the second reading of the Bill would be something like pre-judging the question which had been sent to the Committee to discuss; but not a syllable of dissent from the main object of his hon. and gallant Friend's Bill was uttered. Now he (Mr. O'Beirne) believed that there was some very palpable misapprehension on the part of hon. Members who took this view. The only effect that reading this Bill a second time could possibly have, would be to express the views of the House subject to the inquiry of the Committee; and the Committee would have the fullest power to do what they pleased with the Bill, to report in favour of, or to reject it, or to embrace the principle it advocated in a new Bill. In fact, all that could follow a second reading would be the expression of opinion by the House in favour of the principles enunciated, without in the least interfering with the power given to the tribunal upstairs. If then that be so, why should there be any hesitation in permitting the Bill to proceed. He hoped, therefore, that this useless, and he thought ill-judged, opposition would be withdrawn.

THE ATTORNEY GENERAL FOR IRELAND (Mr. WARREN) considered that nothing would be more mischievous than to read this Bill a second time with a view to immediate legislation. It appeared to him that the Bill contained as much mischief as any that had been introduced for some time past. The tendency of the measure was to tell the occupying tenants that they were suffering under a grievance, for which he believed there was no foundation; the Grand Jury cess being a charge upon the land apportioned justly among all classes. More than half the land in Ireland was held under tenancies from year to year; and as the Bill proposed the immediate application of the new law to all these tenancies, the result would be to create a vast amount of discontent between landlord and tenant, and to oblige landlords in self-defence to put an end to existing contracts with their tenants. He did not acquiesce in the principle that it was desirable thatthe Grand Jury cess should be apportioned between landlord and tenant, but he admitted that the subject was one deserving of inquiry before a Committee. It was against the practice of the House to affirm the principle of a Bill, when that very principle was to be one of the matters referred to a Select Committee.

SIR JOHN GRAY said, that the Bill would not interfere with existing arrangements between landlords and tenants; for all existing contracts were specially excepted from the operation of the Bill. There could be no hope of preserving good-will between landlord and tenant—as the opponents of the measure professed to wish—if Bills founded like this on just principles were to be rejected. It was now declared that a simple act of justice would produce ill-will between landlord and tenant. What could be fairer than that the person who possessed the permanent interest in the soil should pay his portion of the burden, instead of the whole being thrown upon the shoulders of the tenant? The House was asked to read the Bill a second time; not for the purpose of immediate legislation, but that the Select Committee might have official cognizance of its provisions. There was nothing more common than to give instructions to Committees as to the manner in which they should conduct their inquiries.

Mr. SULLIVAN contended that the tenants had a serious grievance of long standing in the payment of the county cess. It was loudly and universally complained of, that the occupying tenant should pay the whole of a tax which went substantially to improve the property of the landlords. The Bill would not create discontent; for discontent in connection with this question, was of long standing. Why should it not be put on the same footing as the poor-rate? It was only reasonable and fair that the charge should be shared by the landlord. He entered his protest against the statement of the Attorney General for Ireland, and declared his belief that those who defended the present system did not understand the subject, or the feelings which existed among the tenant class of Ireland.

Lord CLAUD HAMILTON thought it most proper that the whole subject should be discussed and maturely considered by the Committee upstairs; but it would be contrary to the practice of the House, and not very courteous to the Committee, to sanction the principle of a Bill by reading it a second time, and thus endeavour to dictate to them the mode in which the question should be settled. The Committee had full powers to inquire into the whole subject; and he trusted the House would not fetter them by the reference proposed by the hon. Member for Cork (Mr. Murphy). Although he could not admit the grievance alleged by the hon. and learned Member for Mallow (Mr. Sullivan), he did not deny that some changes in the present system might be desirable. Exemptions similar to those made in the case of poor rates would, no doubt, be beneficial; but he had represented for thirty years a large agricultural population in Ireland, of all classes and creeds, and had never heard of this long standing grievance which pressed for immediate legislation. He looked to the Committee for useful suggestions, and hoped that beneficial legislation would follow.

Sir PATRICK O'BRIEN said, he was in favour of apportioning the county cess between landlord and tenant as was already done in the matter of poor rates. There had not been a single objection advanced against the principle of the Bill. It was true they had been told that an interference with the relations of landlord and tenant might excite discontent among the people of Ireland, but there was no possible measure connected with land in Ireland to which the same observation did not apply. The only desire of its promoters was to make a fair and equitable arrangement, and the noble Earl would do a graceful act if he allowed the second reading to pass with a view to the reference of the measure to the Select Committee.

Mr. MAGUIRE said, the Gentlemen composing the Select Committee would form an excellent Committee, thoroughly representing all the interests of Ireland, and there was only one Gentleman among them who had not been on the Grand Jury. He (Mr. Maguire) thought it might be useful to read the Bill a second time, and refer it to them. The right hon. and learned Attorney General for Ireland (Mr. Warren) laboured under a great misconception if he believed there was no grievance involved in the existing condition of the law. Those who were acquainted with the feelings of the people knew that a grievance did exist, and that it was felt very strongly. He had himself seen a petition, signed by 6,000 occupiers in the South of Ireland, complaining of the grievance; and if the noble Earl opposite would refer to the occupiers of his own county, he would find there were not more than ten in a thousand who would not be in favour of a division of the burden between landlord and tenant. But no improvement was ever attempted to be made in that House for Ireland without the parrot cry being raised that dissensions and divisions would be created between the landlords and tenants. That was, however, all nonsense. Hon. Members came here to improve the law. Good will, not ill feeling naturally arose from improvements. He hoped the second reading would be agreed to.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 57; Noes 70: Majority 13.

Words *added*.

Main Question, as amended, put, and *agreed to*.

Second Reading *put off* for six months.

## INDUSTRIAL SCHOOLS (IRELAND) BILL.

(*The O'Conor Don, Mr. Monsell, Mr. Leader.*)

[BILL 6.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. PEEL DAWSON said, that last year he had opposed a similar Bill upon its second reading; but, that having received little encouragement in that opposition, he had not considered it his duty to pursue a similar course in this Session. His objections, however, remained the same, and he thought that the momentous consequences which such a measure involved were not sufficiently understood by hon. Members. The hon. Member for Roscommon (the O'Conor Don) had not made out a case for it. If it passed in its present form, it would immediately effect a most disastrous blow upon the system of united education in Ireland. It would add very considerably to the burdens of local taxation; and almost all the grand juries of the northern counties of Ireland had protested against it. It had been urged that the grand juries would be left to take advantage of its provisions or not, as they chose; but there was no knowing how soon, if it were passed at all, application would be made to Parliament to make it compulsory. It was beyond the functions of grand juries to have the power of establishing schools out of the county rates, and he desired to record his protest against the measure, believing that it was wholly uncalled for; that it would add greatly to the burden of local taxation; that it would destroy the principle of self reliance among the lower order of the people; and that it would give perpetual opportunities for increasing religious rancour and acerbity.

MR. VANCE moved that the House should go into Committee on the Bill on this day six months. There was a certain amount of plausible argument in favour of this Bill, inasmuch as its principle was one already in operation in England. The object of the measure was to extend the operation of the Industrial Schools Act to Ireland, but the circumstances of the two countries were wholly different. There was much more vagrancy in Ireland than in England. The consequences of the measure would be that vagrant children might be seized and placed in sectarian schools, and that an expense would be incurred pressing heavily on the ratepayers in Ireland. He entirely disapproved of giving such children a better education and better nurture than those of hard-working, industrious, and well-conducted occupiers. The poor law schools were quite adequate at present for the purpose of eleemosynary education. It is true the Bill is only permissive; but it would no doubt be put in force, in all places in which there are town councils and would shortly be made compulsory. Where parents are living and have not parish relief, they should educate their own children. It would increase the pressure of rates to an enormous extent, as well as add to the religious rancour by which Ireland was vexed.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words, "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Vance,*)

—instead thereof.

MR. REARDEN said, he should vote for the Motion for going into Committee; but he intended to move an Amendment to a certain clause of it in Committee. He thought it would be inexcusable not to make the schools self-supporting.

THE O'CONOR DON expressed his surprise at the opposition from certain hon. Members opposite, to a Bill which was simply intended to extend the provisions of the Act which had operated so effectively in England. He had received a vast number of letters from magistrates, heads of reformatories, and other gentlemen in Ireland, all expressing their highest approval of the measure, and the necessity of such an act for the sister country. At present many children were sent into reformatories who ought to be sent to industrial schools. The judicial statistics of Ireland proved that the proportion of children of this class was far greater in Ireland than in England. In respect to the petition presented by the hon. Member opposite from Armagh, he (The O'Conor Don) had received a letter from Mr. Hancock, a member of the grand jury of Armagh, in which he stated that, after the grand jury had finished their criminal business, and whilst they were assembled together with closed doors, a gentleman proposed that they should sign the petition he produced against the Bill. Mr. Hancock objected to being a party to such a proceeding, and stated that, though other members of the grand jury had signed the petition, he believed that none of them except himself and the gentleman who had made the proposal had read the Bill. If the intention was to set up the Reformatories Bill as a rival to this measure, the charge under that measure would be higher, and it would be equally defrayed out of the county cess. The children who would be sent to the industrial schools were not of a criminal class. In the absence, however, of such institutions, those children must be sent to reformatories, where they would be treated as criminals. He (The O'Conor Don) objected to the principle of branding those innocent children as criminals, and of contaminating them by associating them with criminals. The measure was one of a mere permissive character, and it lay with the grand juries to say whether it should be put in operation in any particular district. As the Reformatory Act had worked so well without being compulsory, there was no good reason for believing that this Bill would not work equally well as a voluntary measure. The head of the Glencree Reformatory approved the measure. He (The O'Conor Don) did not believe that its enactment was at all likely to be followed by a compulsory measure, as the hon. Member for Armagh appeared to apprehend. But, even if such a consequence were likely to happen, the proper time to object to it was when the actual proposition was made.

Lord CLAUD HAMILTON said, the cause of much of the opposition which had been offered to the Bill was the utter silence observed by the hon. Member for Roscommon as to the necessity of the measure and his reasons for introducing it. As a representative of a large county, he (Lord Claud Hamilton) had always felt it his duty to oppose any scheme involving taxation, the provisions of which had not been made thoroughly known to the country, and in respect to which an opportunity had not been afforded of opposing it, if disapproved, by any portion of the people. After the statement he had heard, and the explanation given in respect of its provisions, he should not feel it his duty to offer it the same opposition as before. The hon. Gentleman had omitted to state that this Bill was different from the Bill of last year. Only two individuals signed a petition against the measure. Since that time it had become a little more known, and had become the subject of eleven petitions, with 231 signatures, but all of the petitions were against the Bill. It might be an excellent Bill, but he thought it should not be passed until there had been given to the cess-payers of Ireland a more ample opportunity of expressing their opinions with regard to the measure, either for or against it. The hon. Member had not stated the number of children likely to come under the operation of his measure. What with the facts of higher wages being given than heretofore, and the continuous emigration going on, he (Lord Claud Hamilton) believed that the number of vagrants under the age prescribed by the Bill was rapidly decreasing. He confessed he still shared the opinion expressed by the hon. Member for Armagh that the measure was unnecessary; and, judging from experience, he did not think that those schools to be created under it were the best that could be established for teaching young people trades, or to become good agricultural servants.

Mr. PIM supported the Bill, on the ground that it would compel some parents, who would not otherwise do it, to pay a portion of the sum necessary for the maintenance of their children. He thought that the Bill was as much required in Ireland as in England.

Mr. VERNER said, that in reply to the observations of the hon. Member for Roscommon relative to the grand jury of Armagh, he begged to state that a copy of the Bill had been sent by request to the grand jury, and every member of it had full opportunity of reading its provisions.

The Earl of MAYO wished to say one or two words in regard to the Bill. He did not propose, on the part of the Government, to take any action in respect of the Bill; but he wished to express his own individual opinions on the merits of the measure. He confessed he did not think that the hon. Member for Roscommon had made out a very strong case for extending the principles of the English Act to Ireland. He (the Earl of Mayo) had endeavoured during the last Recess to inform himself as to the feeling of the people of Ireland upon the subject; and, from all the inquiries he had made, it appeared to him that if this Bill were passed it was not likely it would have any extensive operation; but there was a very great difficulty in refusing to consider the provisions of a Bill which was almost precisely similar to the statute now in force in England. He thought that the House would do well to assent to the Committee on this Bill with a view of adapting, as far as possible, its provisions to the circumstances of Ireland. When in Committee it was his intention to move an Amendment which would have the effect of excluding all persons from the operation of the Bill who would naturally come under the amended provisions of the Irish Reformatory Act.

MR. VANCE said, he should divide the House.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided* :—Ayes 82; Noes 46: Majority 36.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 10, inclusive, *agreed to.*

Clause 11 (As to Children under Fourteen Years of Age found begging, &c. 29 & 30 Vict. c. 118, s. 14).

THE EARL OF MAYO moved the rejection of the first paragraph of the clause—namely, that which related to vagrant children—on the ground that a distinction between reformatories and industrial schools should be maintained. The industrial schools should be for those only who had committed no legal offence; and children guilty of acts of vagrancy should be sent to reformatories instead of industrial schools. By his Bill all children who were guilty of an offence punishable by law were to come under the provisions of the Reformatory Act, the effect of which would be that vagrant children in Ireland would be treated in the same way as in England, and after suffering a short period of imprisonment would be sent to reformatories. Persons in Ireland who took an interest in the subject wished to have the distinction between reformatories and industrial schools maintained.

THE O'CONOR DON could not agree to the Amendment; because he did not think it right that such children, who might perhaps be sent out to beg by their parents, should be deprived of the advantages of these schools, and subjected to the contaminating influence of a prison.

MR. BAGWELL thought it a considerable infringement of personal liberty to take up children merely for vagrancy, and send them to prison for a long time, although the prison was called an industrial school. He thought that there ought to be some safeguard to prevent the children of the poor being taken up and sent to industrial schools when they had committed no crime.

MR. CANDLISH pointed out that the Amendment of the noble Lord really broke down the distinction which existed between criminal and other children, because though, no doubt, some vagrant children in Ireland were criminal, it was not so in the majority of instances. He considered it was preferable to send these children into industrial schools, rather than reformatories with the probationary process to going through a gaol. He thought the clause ought to be maintained in its integrity.

MR. O'REILLY believed that the Amendment of the noble Lord would bring these children into the criminal class, a class whose future life was a source of so much difficulty to the country. He trusted, therefore, that the noble Earl would withdraw his Amendment.

THE EARL OF MAYO said, that his intentions had been misunderstood by the hon. Gentleman. His object was simply to extend the operation of the Reformatories Act in a direction in which the friends of those institutions thought it ought to be extended. As reformatories were working well, he thought the class to which he had referred ought to be sent to them. To secure the best possible results from the industrial schools it was desirable to separate those children who were properly the objects of charity from those who might more fairly be regarded as belonging to the criminal class. He had no objection to the House considering and deciding upon the question whether this particular class of children should be sent direct to a reformatory, or through the medium of a gaol.

MR. CANDLISH, believing that the proposition of the noble Earl would overthrow the reformatory system, trusted that the Committee would retain the clause as it now stood.

MR. CHICHESTER FORTESCUE said, the question was, how to draw a line between the two classes, who ought to be sent, irrespectively, to industrial and reformatory schools. He did not see how it could be done; and he thought the clause in the Bill of his hon. Friend was best suited to meet the circumstances under which children in Ireland were placed. It would be dangerous to depart so far from the system sanctioned by the English laws. He hoped the noble Earl would not press his Amendment.

Mr. VANCE was afraid the Amendment would lead parents to send their children out to beg, in the hope that they would be instructed by the Government.

Mr. MURPHY thought the magistrates ought to have a discretionary power of sending children direct to the reformatory without passing them through a prison; and did not see any objection to giving to magistrates the power which they possessed in the case of industrial schools.

Mr. VANCE believed the clause as it stood would give encouragement to parents to send out their children to beg.

The Earl of MAYO said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Mr. BAGWELL moved, that at the end of the clause the following words should be added :—

> "Or, in case of there being no industrial School in the district where the child is found, the workhouse may be duly certified by the authorities as fit to receive children to be trained as in Industrial schools."

The O'CONOR DON had no objection to the addition to the clause.

Mr. CANDLISH thought the addition would interfere with the working of the Poor Law system.

The Earl of MAYO said, anything that could improve the industrial training of workhouses would be most desirable; but he was afraid there was no machinery in the workhouses to carry on industrial training.

Mr. REARDEN: If that machinery were introduced into the workhouses it would effect a most charitable revolution.

Amendment *agreed to.*

Clause *ordered* to stand part of the Bill.

Clauses 12 to 25, inclusive, *agreed to.*

Clause 26 (Penalty on Child escaping from School).

Mr. BAGWELL said, this was a most outrageous clause, as it provided that a child who escaped from school could, at the discretion of the magistrate, be sent to prison for a period of fourteen days with or without hard labour. He would divide the Committee on this clause.

The O'CONOR DON said, if this clause were not passed the Bill might as well be abandoned.

Clause *agreed to.*

*Mr. Chichester Fortescue*

Clauses 27 to 41, inclusive, *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Monday* next.

## TANCRED'S CHARITY BILL—[Bill 67.]

(*Mr. Beresford Hope, Mr. Walpole, Viscount Cranborne.*)

### SECOND READING.

Order for Second Reading read.

Mr. BERESFORD HOPE, in moving the second reading of this Bill, thought it right to offer a brief explanation of its provisions and some account of the charity itself. He observed, by the way, that he specially appeared on behalf of Christ's and Caius Colleges, Cambridge, peculiarly benefited as they were by the institution; and that the Bill which he had brought in was substantially the one of last year, originally introduced by his noble Friend the Vice President of the Committee of Council (Lord Robert Montagu), and then amended by a Select Committee. The founder of the institution was a certain Mr. Tancred, a Yorkshire squire of strong prejudices, one of which was an objection to heirs female. Early in the last century, this gentleman executed a trust deed, settling the largest portion of his property (of which the principal seat was at Wixley some dozen miles from York), on a trust which would, no doubt, had he had issue male, have made an entail for ever; but which, as the case was, created a charity, speaking roughly, divided into two parts —one an almshouse situated in the town of Wixley for twelve decayed bachelor gentlemen, and the other an establishment of twelve studentships—four for law, to be taken at Lincoln's Inn and the residue at two Colleges of renown at Cambridge, at either of which it was a privilege to enter; four for divinity at Christ's College; and four for medicine at Gonville and Caius College. Several years later Mr. Tancred executed a will, leaving his remaining property in augmentation of the settlement. Still a bachelor, he died a few years afterwards, and his will became the subject of a Chancery suit; for his sisters and their representatives naturally objected to it. The then Lord Keeper Henley pronounced a decree, in which he established the settlement with certain modifications; and in consequence of this judgment a Private Act, 3 *Geo.* III., incorporated the charity in conformity with Tancred's arrangements, appointing as its governors the Treasurer of Lincoln's Inn, the Master of the Charterhouse, the Governors of Chelsea and Greenwich Hospitals, the President of the College of Physicians, and the Masters of Christ's and Caius Colleges, Cambridge. At the same time, Christopher Tancred's whimsical provisos of keeping up for ever a deer park at Wixley was abrogated; and the estate placed on so satisfactory a footing that instead of yielding something under £1,000 a year, it produces, at the present day, upwards of £4,000. He need hardly observe how the selection of these trustees was wisely designed to secure the proper fulfilment of the second object of the charity —the maintenance of the twelve studentships, four in law at Lincoln's Inn, four in medicine at Caius College, Cambridge, and four in divinity at Christ's College, Cambridge. He should observe that both with regard to these studentships, and the pensioners of the "Hospital" at Wixley, the beneficiaries were strictly enjoined to be members of the Church of England. He was not now concerned with the question as it affected Wixley; but so long as the Colleges retained their connection with the Church he saw no hardship in the provision. The Church of England offered a most ample area, when the benefits to be conferred were so limited; and Christ's and Caius Colleges were foundations which it was an advantage, and not a detriment, to enter, particularly when £100 a year was the result of the transaction. As to the Wixley Hospital, he must confess that it had proved a failure. It would be easy to conceive the evils which would result from twelve bachelors of fifty, afflicted with an inability to get on in life—or otherwise they would not have offered themselves as candidates for the Tancred benevolence—living together on a common income barely sufficient to keep one gentleman in decent circumstances, in little rooms cut up out of a small country house, touching which the founder had the vanity to propose that the buildings should never be enlarged or altered. Having to dine together and live in community without any special occupation, religious vocation, or manly sports, soured in temper by the degradation of being regarded as recipients of charity, and with nothing to do but to kill time, these masculine old maids would naturally take to smoking, eavesdropping, and quarrelling, if not something worse. In 1865 the case of the Hospital became so flagrant that its governors submitted a scheme to the Charity Commissioners, proposing to reduce the number of the pensioners from twelve to six. Some other reforms were suggested; but the whole proposal was manifestly too timid and compromising to command success, particularly when it was remembered that the estate, which when Tancred died, was worth something less than £1,000, had now increased in value to more than £4,000. The Charity Commissioners were accordingly solicited from various quarters to take vigorous measures, and they did so with a vengeance. As a first step, they sent their assistant Commissioner, Mr. Martin, to report on the condition of the Hospital. He made a very minute examination of its internal arrangements, in which he was assisted by the fussy ingenuity of the inmates, men of, perhaps, a once large experience, who had withdrawn their powers of observation from the world to concentrate them within the narrow limits of their own circle. The Commissioners came to the generally approved conclusion that the Hospital as an almshouse should be done away with, and that the income should be dispensed in the shape of out-door pensions, supplementary to other sources of income, to educated gentlemen, so that no recipient should run a risk of collision with any brother in misfortune. The scheme also provided that when the number of inmates had been reduced to four, these should be withdrawn from the building and the establishment broken up. The charity would thus in time have assumed a shape similar in organization to the Royal Literary Fund and similar institutions. Embodied as this plan was in the original scheme, and consequently in the Bill as it first came before the House last year, it was also accepted by the Select Committee, and therefore was embodied in the Bill of the present Session, so he hoped it would be cordially approved by the House. Regarding the studentships, Tancred had laid down these three conditions:—First, that the beneficiaries should be natives of Great Britain, thereby shutting out Irishmen, colonists, and the whole world beside; secondly, that they should be members of the Church of England; and, thirdly, that they should, as students, be educated at the particular institutions, in relation to which the list of governors had been settled. The limitation to members of the Church of England was objected to; but surely, for an endowment limited in amount and in the number of possible recipients as this was, it opened a field of distribution sufficiently wide to secure an unquestionable power of selection among excellent competitors. What better schools of law, of medicine, or divinity existed than those which this testator had selected? Of Lincoln's Inn he need not make himself the advocate. As to Caius College, it had, from the days of its second founder, been a renowned school of medicine; while the fame of Christ's College as a seminary of divines was incontestible. Yet the Charity Commissioners, for some reason of their own, wished to make a clean sweep of all restrictions, leaving the governors of the charity to elect the students out of the wide world; and whether these would, in consequence, take their degrees in England, in France, in the United States, or in China, was to be a matter of the most complete indifference. The Bill introduced by his noble Friend the Vice President of the Council, as the mouthpiece of the Charity Commissioners, for giving effect to their scheme, appeared in a shape which might have become usual with regard to enactments brought before Parliament to give legislative sanction to such proposals, but against which he felt bound to protest. Instead of the scheme being cast, in proper legal language, into a Bill, which might in time become a statute, it was with all the amplifications and fine language incident to a report, and out-of-place, in a law, transferred just as it stood within the four corners of the Bill, with a few words of prefatory enactment, professing to give validity to the subsequent essay as the scheme of the Charity Commission. This Bill was referred to a Select Committee, which altered the scheme in various particulars; and yet, the Preamble having been, by the forms of the House, first adopted, it still professed to state what had become an untruth—that the scheme so propounded and proposed to be enacted was that of the Charity Commission. His Bill, which substantially embodied all the alterations of the Committee, did not follow this bad example, but adopted the ordinary form of other Bills. The Select Committee of 1867 restored the vested rights of Lincoln's Inn and of the two Colleges as recipients of the gift, together with the limitation to members of the Church of England of these studentships. In this he cordially concurred; but there were other points embodied in the amended scheme, with which he could not so thoroughly agree, although he felt it was most respectful to the Committee to introduce the Bill in the shape in which they had cast it, leaving it to the House to amend it in Committee if they pleased. Mr. Tancred had devised the advowson of Wixley to the charity; but Lord Keeper Henley pronounced this devise illegal. Consequently the patronage of the living had since continued in alien hands, although a small provision had been made to the clergyman who was constituted warden of the Hospital. The scheme proposed a permanent addition to the living, consequent on its being purchased by the governors, and then the advowson being sold with the estate. The Committee retained the whole of the land, probably looking upon it as the best security on which the charity fund could be put; and yet owing, he hoped, to the misadventure of the provision for the increase of the living having come earlier in the scheme, rejected the proposal of augmentation, with the view, no doubt, of subsequently rejecting the complex transaction affecting the sale of the estate. He would be glad, if his Bill got into Committee, that this provision would be reinstated, without prejudice to the retention of the estate. It was absurd to argue that the purchase of the living was contrary to Tancred's intentions. In the first place, Tancred wished the living to belong to his trust; and, in the second place, regarding the pension portion of it as a provision for meritorious gentlemen outworn by work, he would ask, who could be so meritorious a recipient of its benefits as a clergyman broken down by devoted services in some overgrown town or unhealthy colony? In fact, the vicar of Wixley might and ought to be the first Tancred pensioner. The Committee also struck out the extension of the pensions to women. Tancred, no doubt, was a misogynist; but he thought this a poor reason, now that the Hospital was to be extinguished, to refuse this concession. Such was the Bill of which he moved the second reading. All agreed that the Hospital, as it stood at present, was a crying evil. The Bill proposed a remedy for this offence. Its other details might or might not be open to discussion; they could, however, be taken in hand in Committee. For the sake, however, of abating the Hospital, he contended that the House ought to give the second reading now. If it refused to do so, it would render itself responsible for all the evils which were making Wixley a byword.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Beresford Hope.*)

MR. BENTINCK seconded the Motion.

MR. SHAW-LEFEVRE said, the hon. Member had not stated precisely the nature of the scheme recommended by the Charity Commissioners, which, although of a comprehensive character, did not go as far as he himself wished. The Charity Commissioners proposed that the Hospital should be done away with; that the pensioners should be increased from twelve to twenty-four; that women as well as men should be admitted to the benefit of the charity; that this should be thrown open to all British subjects; and that restrictions upon the religion of the pensioners should be wholly done away with. They further proposed that the allowance of the students should be increased to £100 a year each; that these should not be obliged to belong to any particular College or Inn of Court; and, further, that the estate, consisting of 2,500 acres in Yorkshire, and possessing a considerable residential value, which non-residential trustees were incapable of fully developing, should be sold, and the proceeds invested in Consols. A Bill for carrying out the scheme of the Charity Commissioners had been brought in last Session by the noble Lord the Vice President of the Council; in doing so, however, he never told the House that he disapproved of the provisions of that scheme, but referred the Bill embodying it to a Select Committee composed of five Members chosen from his own side of the House, and but two taken from the Opposition Benches. Bearing in mind that the Liberal party had a decided majority in the House, the preponderating influence ought to have been exactly reversed. The Committee at once proceeded to cut out all the liberal parts of the Bill, and so completely altered its character that nobody could any longer recognize it. On its return to the House he had endeavoured to restore it to its original condition, and gave notice of Amendments for that purpose. The noble Lord endeavoured to force the Bill through the House; but, in order to prevent its being discussed in a thin House, he (Mr. Lefevre) had stayed up night after night till three in the morning, and eventually the Bill was dropped. But now, in the present Session, his hon. Friend the Member for Cambridge, fresh from the honours of an Election, in which he had received considerable Liberal support, re-introduced the Bill in the same reactionary form, instead of leaving the matter to be dealt with by a Government measure, introduced with the concurrence of the Charity Commissioners. In its present shape he thought it was really impossible to amend the Bill. It would be better to throw it out, and to leave it in the hands of the Government to bring in a measure dealing in a wider spirit with this charity. Here was an estate, producing something like £5,000 a year, which might be turned to very useful purposes of an educational character, such as had been pointed to by a noble Duke (the Duke of Marlborough) in "another place" when he accounted for the delay which had taken place in producing the educational measures of the Government by the hope which he had entertained of getting hold of some of the waste foundations of the country. He thought that when there was such a cry for technical education this charity might be used for that purpose. He believed that, in Yorkshire, there was not at present a single school for technical instruction. The scheme of the Select Committee, as embodied in the Bill of the hon. Gentleman, was most illiberal; as he hoped the House would not sanction it, he moved that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Shaw-Lefevre.*)

VISCOUNT CRANBORNE said, the hon. Gentleman had attempted to give this Bill a thoroughly party aspect, and had started some theories on the subject of endowment, which were almost as novel to Members of his own party as they were to those who sat upon the Ministerial Benches. He really failed to gather what were those "liberal provisions" which the Committee had so wickedly struck out. He found that widows and daughters had given way to decayed and necessitated gentlemen, and that the restriction to British subjects had been omitted. Was it part of the creed of the Liberal party that the widows and orphans of pensioners should share in the endowments? Had the Liberal party any objection to "decayed and necessitous gentlemen?" He was also puzzled by the statements which he had heard as to the party composition of the Committee; for, as it happened, the two Liberal Members did not vote upon the same side. If he were compelled to determine between the purity of water of the Liberalism of Gentlemen opposite, he should say that the Member for Scarborough (Mr. Dent) was, on the whole, more orthodox than the right hon. Gentleman the Member for Calne (Mr. Lowe). The principle now laid down by the hon. Member for Reading (Mr. Shaw-Lefevre) could not be narrowed to a particular case. If the intentions of a man who made his will with the full knowledge that there were members of the Church of England, Roman Catholics, and Dissenters, and who discriminated between them, were to be deliberately set at nought, why, in fairness to testators at the present day, these principles of action ought to be declared. At one of those three o'clock sittings which the hon. Member had alluded to he startled the House by the declaration that it was ridiculous for anybody to suppose that the testator could care for the Church of his baptism. That might, of course, be the hon. Member's own view of the case. But there were, nevertheless, large numbers of individuals who did attach importance to their religious belief, and were prepared to help more earnestly those who agreed with them in religious belief than those who did not; and if that were the place to quote Scripture, passages might be adduced in support of that view.

Mr. SHAW-LEFEVRE begged the noble Lord's pardon. He had never used the words attributed to him on any occasion at three o'clock in the morning.

Viscount CRANBORNE: Well, then, it was at half-past one.

Mr. SHAW-LEFEVRE said, he had never, at any time, made use of any such expression.

Viscount CRANBORNE certainly had understood the hon. Gentleman to say that he felt no individual preference for those who belonged to the same religious body as himself; but was glad to find that he had misconceived what was actually stated. The hon. Member, however, must admit that he had now advocated the conversion of this endowment to purposes of primary education—purposes which were wholly foreign to those which the testator had in view.

Mr. DENT had the authority of the Charity Commissioners for stating that they had never been consulted with regard to the Bill that was now before the House; and he certainly thought it a rash and hazardous proceeding, in a matter of this nature, for private Members completely to ignore the Commissioners, and take the disposal of the revenues into their own hands. He hoped the Bill would pass, and that such Amendments, as to the wisdom of the Committee might seem fit, would be introduced. Its broad features would, however, no doubt, remain as an embodiment of the will of a deceased benefactor, whose views they were bound to respect and give effect to. He therefore should vote for the Motion of the hon. Member for Reading, although unable to agree with him in all the views that he had expressed.

Mr. POWELL said, he did not think that the present was the time in the history of the country when a desire to increase the comforts of old and decayed persons could be legitimately regarded as out of date. In Bradford there were collections going on in favour of various asylums devoted to the purpose. The question involved in the opposition to this Bill was, whether, when there was an endowment in favour of a religious communion, the members of that religious communion should be allowed to enjoy the property devised for their benefit. The issue at stake in this case did not affect one religion alone, but the endowments and bequests of all bodies of Christians in this country. He must adhere to the broad principle that a man could spend his money as he liked, and so leave it after his death. The Report of the Middle-class Schools Commission was in favour of this Bill, which, he trusted, would be read a second time. Any alterations which it was desirable to make in the details of the Bill could be effected in Committee, while its broad principles were preserved.

Mr. THOMSON HANKEY thought the discussion showed the necessity there existed for some efficient representative of the Charity Commissioners in that House. There was at that moment no Member of the Government on the Benches opposite to say a word in favour of the Report of the Charity Commissioners, or to give any explanation with regard to the Bill. It would be more satisfactory if such measures as this were introduced by the Government, instead of being left to private Members. It could not, he thought, be said that the hon. Member for Reading (Mr. Shaw-Lefevre) factiously opposed the Bill. What the hon. Member asked was, that action should not be taken in the matter until the Charity Commissioners expressed their opinion with respect to it, and until the Government thought fit, on their own responsibility, to bring in a measure on the subject. He supported the Amendment.

MR. HENLEY said, there was a large charity to be dealt with. It was admitted that great inconveniences had arisen from its existing condition. In consequence of the state in which it was represented to be, Commissioners were sent to the spot to inquire, and upon their Report, which contained much valuable information, the Charity Commissioners framed schemes, —not, however, in strict accordance with the Report of the Commissioners who had made the inquiry—and submitted to Parliament a Bill to carry them out. The Bill was referred to a Committee, of which he had the honour of being a Member. It so happened that all the parties interested, without exception, were opposed to the scheme of the Commissioners. Those who were rich enough appeared by counsel; those who were not rich enough were allowed to appear and state their own case. It happened that one of the pensioners had been formerly a Member of this House. What had the Committee to do? They had to sit a few hours every day to devote to a consideration of what was just and liberal. The House had received that day a definition of what liberality, or rather Liberalism, really was according to the view of a Liberal Member. They were told upon that authority that it was a Liberal thing to do away with everything that a founder had in view when he made a specific bequest, and to substitute something entirely different. The hon. Member for Reading (Mr. Shaw-Lefevre) said the intentions of the testator should be disregarded, and that the revenues of the charity should be applied to general educational purposes. But the Legislature had come to the conclusion with regard to endowed schools that, if the words of the bequest were precise, the advantages of the endowment were to be confined to persons of that particular form of religion which the testator indicated. The same principle should be applied in the present case. It was quite clear that the testator had done all in his power to secure his charity for members of the Church of England; and another circumstance was, that if nothing were done there would be a Chancery suit to settle the different interests. The Committee shrunk from ordering a sale of the estate; and from doing this in order to obtain an increased present advantage with the certainty of a less income in the future. They thought that in reference to the questions that had been raised they should rather be dealt with by a general change in the law than by legislating for this particular instance. The Committee had come to the conclusion that the advantages of the charity should be confined to men, and not extended, contrary to the obvious intention of the founder, to women. They differed from the Commissioners also on this question. The founder said that his charity should be divided into two equal parts—one for pensions to needy persons, and the other for educational purposes; and the Committee saw no good reason why this limitation should be broken through; and they also saw no reason for extending the area beyond the locality to which the testator had limited it. Another thing that weighed much with the Committee was the consideration that the Bill would have to go to the other House; and they desired such a measure as would have a fair chance of passing there; and the more especially so when it was admitted on all hands that legislation was necessary to remedy the state of confusion into which the charity had fallen. If money left for one purpose was to be diverted to another it ought to be done directly, and not incidentally. He hoped that the House would agree to the second reading, and if any Amendment were thought necessary, that matter could be considered in Committee.

MR. BRUCE said, that, while he agreed in the desirability of removing existing inconveniences, he could not but think that the Bill could not be considered apart from the general principle which applied to endowments. The Legislature had committed certain duties to the Charity Commissioners, who were empowered to devise schemes for improving and promoting the efficiency of charitable institutions; and it was intended that such schemes, if they were approved of, should be submitted to the Legislature by some Member of the Government. It was the practice, in the first instance, to place them before the Vice President of the Committee of Council, whose duty it was, if he saw anything objectionable in them, to refer the measures back to the Commissioners for further consideration. In the present case no such objection was made to the Bill as prepared by the Commissioners last year; but when it came back from the Committee it was submitted by an independent Member, and not a word had been said in support of its principle by any Member of the Government. The question whether the recommendations of the Bill were such as should receive the approval of the House deserved much consideration; and he did not think it ought to be read a second time, unless the House was prepared to sanction the principle with respect to endowments, that, in all cases and under all circumstances, whatever restrictions were imposed, the will of a testator should be adopted and carried out. He did not deny that the first recipients of the benefits to be derived under the will in question should be members of the Church of England. They were to live together, and it was perhaps right therefore that they should belong to the same denomination; but the question was whether, now that they were no longer to live together, but to be scattered, the same restriction should be maintained. Again, they could not be quite sure that if Mr. Tancred had seen the ritualistic tendencies of the day, and the other alterations that had taken place, he would have been so anxious to limit the charity to members of the Church of England. And with respect to the scholarships, it was worthy of consideration whether, after the lapse of 100 years, the will of the testator should be in all respects adhered to. If the limitations with reference to residence were disregarded, why should not the limitations with regard to religion? At any rate the tendency of Parliament was now to take such restrictions into consideration; and the School Commissioners had recommended that every fifty years such endowments should be considered by some competent authority, which should determine whether the will of the testator should in all respects be adhered to. He thought that a Bill of this importance should be brought forward on the responsibility of the Government; and, under all the circumstances, he should support the Amendment of the hon. Member for Reading.

Mr. ACLAND said, that he was by no means indifférent to the propriety of respecting the general intentions of testators who aimed at forwarding great and good objects; but it was quite another thing when the House was called upon to assist in placing restrictions around institutions, and where the testators were selfish men and wanting in natural affection for their relations. This Mr. Tancred had been described by the Judge who gave a decision in reference to his will, as a man who seemed to have cast off all natural affection; and the Judge regretted that he was bound by precedents to assist in carrying out his intentions. He had surrounded his estate with a wall, and had erected certain buildings and out-buildings, and he ordered that no one should pull down the wall or buildings, or should erect any new buildings. His first object seemed to be to cheat his sisters. He also ordered that forty deer should be kept in the park. Were those who opposed the extension of the benefits derived under the will to a few ladies anxious that those directions should be held sacred? He (Mr. Acland) thought that important principles and main objects should be respected and upheld; but that the whims and fancies of such a testator, at the moment of death, ought not to be allowed to prevent Parliament from applying the charity for the benefit of the greatest number possible. It was true that the testator named members of the Church of England; but circumstances had greatly altered since the founder directed that the residents in his cenobite house were to be members of the Church of England. His views about the Church of England might be very different from those which were now entertained; he might have looked upon the Church in a much wider sense than was supposed; and certainly they ought not to put the narrowest construction upon his words. What they were bound to do was to see what the main object was, and to give effect to it, and not to limitations which had a smack of religion about them, perhaps for the purpose of making them look respectable. It ought also to be considered that the testator was doing for persons, who lived 150 years after his death, what the law would not allow him to do if the bequest had been applied to his own immediate descendants—that was, regulate the terms upon which they should hold the property. He hoped the House would not adopt the broad principle involved in the Bill, which was one which should be dealt with on the responsibility of the Government, and that they would not allow the Bill to be read a second time.

Mr. SCHREIBER said: The hon. Gentleman who has just sat down has certainly formed no very high opinion of the character of the late Mr. Tancred; but I did not gather from anything he said that he felt the slightest objection to fingering the money of the departed; and I must say, Sir, that it is rather hard to take a man's money for upwards of a century, and then abuse him at the end of it. At half-past one o'clock this morning, "while men slept," the Church of England was suddenly deprived by Bill of dues and rights she has enjoyed for centuries; on Monday next it is proposed to rob the Irish Church by Resolution; and to-day, I presume to keep the Liberal party in wind, the disposition is evinced of setting aside the intentions of a Church of England testator and diverting the uses of a Church of England charity. But hon. Gentlemen opposite should remember that, in thus acting, they are forging weapons which may be used against their own endowments, and which, if we cannot defend our own possessions, when the time comes, we shall not be slow to use against theirs. Motions and speeches of this kind are two-edged swords which will not always be allowed to cut one way. In the next place, Sir, if these endowments had their origin in the religious sentiment—if without it they would never have existed — I would ask, how much honesty there is in diverting them to uses secular, and disconnected with the profession of any religious faith? It seems to me, Sir, very like obtaining money under false pretences; but then we are told, Sir, that dead men should not be allowed to govern the living from their graves; but there is one thing, at least, you cannot prevent their doing — they can warn the living from their graves; and, unless this House more scrupulously respects the intentions of founders, we shall soon have heard the last, I fear, of bequests for religious and charitable uses. On general grounds, then, and because, as a Cambridge man, I feel a deep interest in this particular instance, I trust that the House will not refuse a second reading to this Bill.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 69; Noes 83: Majority 14.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for six months.

## MUTINY BILL.—SECOND READING.

Order for Second Reading read.

Mr. DARBY GRIFFITH objected to the way in which the Bill was introduced, no one having heard the first reading. He admitted, however, that in accordance with his wish it was printed before the second reading. Still he considered it was objectionable that, without necessity, such a Bill should be so rapidly passed through the House. When this Bill was passed the Minister might dissolve Parliament if it did not act according to his wishes; and this indecent haste took place in consequence of party contentions which properly should have no relation to it.

Motion *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

## GRAND JURY PRESENTMENTS (IRELAND).—COMMITTEE.

Mr. VANCE moved, that the Select Committee on this Bill do consist of nineteen Members, and that Colonel Stuart Knox and Captain Archdall be added to the Committee.

Motion made, and Question proposed, "That the Select Committee on Grand Jury Presentments (Ireland) do consist of Nineteen Members."—(*Mr. Vance.*)

The O'CONOR DON objected to increasing the numbers of the Committee.

Motion, by leave, *withdrawn.*

House adjourned at a quarter before Six o'clock.

# HOUSE OF LORDS,

*Thursday, March* 26, 1868.

MINUTES.]—Public Bills—*First Reading*—Compulsory Church Rates Abolition* (55); Medical Practitioners (Colonies)* (56).

*Second Reading*—(£362,398 19*s.* 9*d.*) Consolidated Fund*; Legitimacy Declaration (Ireland)* (27).

*Committee*—Non-Traders Bankruptcy (Ireland)* (38); Fairs (Ireland)* (47).

*Report* — Non-Traders Bankruptcy (Ireland)* (38); Fairs (Ireland)* (47).

## ECCLESIASTICAL TITLES IN GREAT BRITAIN AND IRELAND.

### MOTION FOR A SELECT COMMITTEE.

EARL STANHOPE, in rising to move for the appointment of a Select Committee, to inquire into the Operation of any Law or Laws as to the Assumption of Ecclesiastical Titles in Great Britain and Ireland; and whether any, and what, Alteration should be made therein, said, that this question had given rise to a great amount of irritation. Being anxious to see it satisfactorily settled, he now asked their Lordships to grant a Committee, as the first step in their Lordships' House towards the attainment of such a result. As to the present state of the law, he must, in the first place, bring under their Lordships' notice a clause in the Act of 1829, called the Roman Catholic Relief Bill, in which it was enacted that a penalty of £100 for each offence should be imposed upon any person who should unlawfully assume to himself any title borne by any Archbishop or Bishop of the Established Church. The Roman Catholics of that time took very little heed of that clause, because it was comprised in a measure which gave them the great boon of equality of civil rights. Moreover, when that Bill was passed, no attempt was made to bring the clause into operation, and it remained a dead letter. But the case was far otherwise when, in September, 1850, the Pope thought fit to alter the mode of exercising his spiritual authority in England. Until then that authority had been exercised by means of Vicars apostolic; but in that year a brief was issued by the Court of Rome, which established twelve dioceses for the Roman Catholic Church in England, and gave to those dioceses titles which were not borne by Archbishops and Bishops of the Established Church, but derived from other towns or cities. Under that brief Cardinal Wiseman assumed the title of Archbishop of Westminster. This brief raised a great flame in the country, upon two separate grounds—first, it was regarded as an act of Papal aggression; and secondly, it was considered to be aimed at the authority of the Queen, who alone had the privilege of creating territorial titles in her own dominions. At the beginning of the next Session, a noble Earl not now in his place (Earl Russell), who was then Prime Minister and a Member of the House of Commons, brought in the Ecclesiastical Titles Bill. But although he (Earl Stanhope) was about to find great fault with the provisions of that Bill, he by no means desired to impute it in terms of blame to the noble Earl. The statement made by one of the principal and most distinguished opponents of this Bill should always be borne in mind. Sir James Graham said—

> "He must ackowledge that the feeling in favour of legislation on this subject was so strong and unanimous that no Prime Minister could disregard it."

The Ecclesiastical Titles measure, after much debate, finally passed both Houses; and, in addition to the penalty of £100, it declared null and void all the briefs and rescripts that had been or might be promulgated by the Court of Rome in reference to this assumption of titles. This Act was proclaimed by its promoters as a great victory and triumph; but, alas! how vain and hollow had that victory proved!

> "Upon his head they placed a fruitless crown,
> And put a barren sceptre in his gripe."

Last year, when some discussion took place upon the subject in that House, their Lordships were told by Lord Derby, in his capacity of Prime Minister, that if a Return were moved for of all the prosecutions instituted and all the penalties recovered under that Act, the Return must be *nil*. The fact was that not a single prosecution had been instituted, and not a single penalty had been recovered. In that debate of last year several noble Lords expressed their regret that they had been parties to the passing of that Bill. He, for one, joined in that regret; not that he or any other noble Lords need be ashamed of what they had done, for no one could take a more conscientious or honourable part than vote according to the best of his judgment at the time. But he thought that, guided by the lights of experience, they had reason to regret the course they had pursued. For himself, he regretted that he had departed from the guidance of those Gentlemen with whom he then usually acted—the followers of the late Sir Robert Peel—who, in his judgment upon this measure, and upon some others also, displayed a larger amount of foresight and sagacity than did at the time several other party chiefs who competed with them. The Bill, however, having now been the law of the land for many years, it became their duty to consider what had been its effect. Some people said that no harm could arise from a law which was not executed. For his part, he objected to any law that was not executed. It was most unfortunate when penalties were placed upon the statute book which they could not venture to enforce; and there could be no worse state of things than when there was a systematic violation of the law on one side and a systematic connivance at that violation on the other. The whole course of legislation of late years had been in opposition to such a system; and the Legislature had repealed scores of statutes that had fallen into desuetude. There were only two courses to pursue with regard to any law—either to enforce it, if it were deemed right, or, if deemed undesirable, then to repeal it. If there were any country in which it was desirable to promote respect for the law, it was Ireland. What, then, must be the state of things in Ireland, when the humbler classes saw those in whom they confided, and whom they revered — the prelates of the Church to which they belonged—pay no regard at all to those statutes which regulated their condition? Might not such a spectacle induce those persons to suppose that they also were absolved from the duty of obedience to the law in points upon which that law concerned them? He thought the fact that the statute had fallen into desuetude, or that it could not be enforced, afforded a very good reason why they should repeal it, or, at all events, why, at least, they should not refuse an inquiry into the question. Another objection to the Act was that it had caused considerable difficulty with regard to Roman Catholic bequests, and some information on this point would be found in the Report of the House of Commons' Committee of last year which had been communicated to their Lordships, and would be in their hands in a few days. It was true that it had not, as far as he was aware, led to the infliction of any substantial injustice. But under its operation Roman Catholics had been subjected to harassing proceedings in different courts, and that was manifestly a grievance which ought, if possible, to be removed. A further objection to the Act was that it did not deal with the question in an equal spirit. Had it rested on the broad principle that any person assuming a territorial title in the Queen's dominions without Her Majesty's permission should be liable to a penalty, much might be said in its favour; but how did it deal with the Bishops of the Episcopal body in Scotland? Bishop Forbes, with whom he had been in correspondence, and who was held in great honour and respect by all who knew him, had exactly the same right to take the title of Bishop of Brechin that Dr. Manning had to style himself Archbishop of Westminster; yet the Act expressly excepted the Episcopal body in Scotland from its operation. Surely, the penalty ought to be applied equally, or not at all. He found, too, that the Act exercised an evil effect upon the action of the Roman Catholic body in Ireland, as had been shown by the evidence adduced before the Committee of the House of Commons which had inquired into the subject last Session. Bishop Moriarty, in the course of his examination before that Committee, said—

> "I know that before the passing of the Ecclesiastical Titles Act several Bishops were in the habit of attending the receptions of the Lord Lieutenant, and I know that, on many occasions, Bishops were consulted by the Government of the country, and that they freely gave their advice, and offered their advice, to the Government of the country. Since the passing of the Ecclesiastical Titles Act the Bishops think that it is their duty, or that it is becoming their station, to keep themselves altogether apart from any official connection or communication with the Government of the country."

That was a very important answer, and the Bishop also stated that the Roman Catholic prelates, acting on that rule, had retired altogether from the Board of National Education. When asked whether there was anything in the Act which required them to do so, he replied—

> "No; but among the Commissioners of National Education you had the Archbishop of Dublin, you had the Catholic Dean of Dublin, and you had, I think, two or three other Roman Catholic Bishops sitting on the Board of National Education; they have all retired, and no Bishop at the present day would accept a seat on that Board."

The evidence of Mr. Justice O'Hagan, another of the witnesses of high authority examined by the Committee, was to the same effect, and he would read a question put to him, with his answer—

> "Your opinion is that the main evil of that legislation is a matter of feeling on the part of the people of Ireland?—It is, no doubt, a matter of feeling, but of feeling issuing in fact, and in very formidable fact too. I think that the feeling of a Bishop which prevents him from having, in a position of perfect independence, which should always be maintained, the most cordial relations with the Executive Government of the country, and aiding it cordially and effectually by word and deed, in all proper cases, is a feeling followed by a fact of a very formidable sort."

Their Lordships, he thought, would admit that a measure which severed all ties between the spiritual heads of several millions of our fellow-subjects and the Government, and also all ties between those heads and the system of national education in Ireland, was a great evil. He (Earl Stanhope) had now pointed out the ill effect of having statutes which could not be enforced, and penalties which could not be recovered, the harassing operation of the Act on Roman Catholic bequests, its unequal application, and the alienation which it had caused on the part of the Roman Catholic Bishops with regard to the Executive and the Education Board. This being the price we had paid for the Act, he was entitled to turn round on its supporters and ask what equivalent we had received? Here was the loss, but where, he now asked, was the gain? Could it be said that a measure which had remained a dead letter afforded the smallest security to any of our Protestant Establishments? It had simply given us the pleasure, if pleasure it were, of forbidding what we were unable to prevent, and of declaring illegal what was nevertheless done every day and every hour before our eyes and in spite of our law. It must be remembered, moreover, that serious times were possibly at hand. While observing due reserve towards measures which were not yet fully developed, and which at all events were not yet before their Lordships' House, he might be allowed to say this—that many persons entertained apprehensions that proposals might be pressed upon Parliament by a numerous section of our fellow-subjects which it might be its bounden duty to refuse. In view of such a contingency his counsel was—"Make concessions when you can, so as to be able to make resistance when you must." If we cleared our position of anything that was doubtful or ambiguous, anything that was ill-considered at the time and had not been attended with the expected results, we should be better able to refuse unreasonable demands. In the discussion of last year several Peers, who formerly supported the measure, admitted the evils which had resulted from it, and avowed their change of opinion, and with that change of judgment avowed by so many, and by himself among the rest, he maintained that re-consideration was required, and he hoped their Lordships would now grant the Committee for which he asked. He believed considerable progress might thereby be made towards the settlement of the question. It need not be a Committee of very long duration. He believed that all the facts which it was desirable to ascertain had been laid before the Committee of the House of Commons which had sat last Session, and he doubted whether it would be requisite that the Committee should call for any further evidence; but he thought that something might be gained by a careful consideration of the provisions of the Act, and by inquiring whether it would be possible to put an end to the present state of things, and at the same time to assert the Queen's undoubted authority as the source of all honours in this country. It appeared to him that the Bill which had been introduced in the other House did not deal with the subject in the most satisfactory manner, for it proposed the repeal of these provisions and nothing more. There were several other points also well deserving of consideration. He would mention one which was suggested by the Report of the Commons' Committee of 1867. That Report said—

> "Your Committee submit for the consideration of the House whether, for purposes of legal description, certain modes of designation applicable to Roman Catholic Bishops might not be adopted, whereby some inconveniencs which have been pointed out to the Committee might be avoided."

But nothing appeared in the Commons' Bill of 1868 to carry out that recommendation. That Bill proposed nothing beyond the repeal of the two enactments of 1829 and 1851. Again, the question as to the Queen's supremacy in this country was one which should engage attention. He thought the Committee would be materially aided by the presence of some Members of the right rev. Bench. He had the pleasure of stating that if the House should be disposed to grant this Committee, one most rev. Prelate (the Archbishop of York) had declared his willingness to be proposed a Member of it. He saw no reason why, in any point of view, this should be regarded as a party question. Most noble Peers who had taken an active part in politics on one side or the other had been concerned either in the framing or the support of the measure into the operation of which he proposed to inquire; he said so without intending to cast any imputation upon them, and now he thought it would be perfectly consistent with the course they had formerly taken if, without any admixture of party feeling, they should apply themselves to see, whether, without impairing the Queen's authority, they might not be able to redress the grievances of which so many of the Queen's subjects had now good reason to complain. It was with this view that he had introduced the subject to their Lordships' notice. He thanked their Lordships for the indulgence with which they had heard him. He begged to move that a Select Committee be appointed, and now, with entire confidence, he left the subject in their Lordships' hands.

*Moved*, That a Select Committee be appointed to inquire into the Operation of any Law or Laws as to the Assumption of Ecclesiastical Titles in Great Britain and Ireland ; and whether any and what Alteration should be made therein.—(*The Earl Stanhope.*)

LORD REDESDALE said, he thought the noble Earl had not fully considered the circumstances under which the law arose. The question was not a religious one, it was a purely ecclesiastical question and an Imperial question. It was not so much an assumption of certain titles that had led to the passing of the measure as the fact that these titles had been conferred by a foreign Power; and the Act was drawn up and remained as a protest against that proceeding. No foreign Sovereign had a right to issue any document or brief by which titles of authority were conferred in this country, and it was against that which the law protested. There was no more difference in the Pope creating an Archbishop of Westminster than in the Emperor of the French, or any other foreign Sovereign, creating the noble Earl Duke of Chevening. That was the case of a foreign Power interfering in the Government of this country, and that was the point taken up, and he held rightly taken up, by the Government in 1851. Their Lordships might make what alterations they pleased, and, at the same time, might do what they could to reserve the rights of the Crown and the independence of the country with regard to this matter ; but if, in any way whatever, they countenanced a foreign Power doing anything by authority in this kingdom, they would do that which would be contrary to the liberties of the country, and would lay the foundation of great and impending danger. Suppose their Lordships admitted the right of the Pope to create the Archbishop of a diocese in this country; in a short time it would be said that the same right ought to be given, which was acknowledged in other countries, of granting dispensations with regard to certain marriages. Why, it would then be asked, should not the Pope be allowed to grant, in the case of those professing his own faith, a dispensation to an uncle to marry his niece, and to do other things which were done every day in Roman Catholic countries ? There was much more involved in that matter than those who only looked at it superficially might be supposed to think. The action of the Pope in that case had been utterly uncalled for; because since the time of the Reformation until 1851 the whole religious proceedings of the Roman Catholic population of this country, as distinguished from Ireland, were carried on without the necessity of having any bishop with an English territorial title. If such was the case during all that period, why were not things allowed to remain so ? Why, instead of a Bishop of Ephesus, for example, or an Archbishop of Tarsus, who did everything necessary for the faith of that portion of Her Majesty's subjects, were bishops with English titles appointed ? Why was it necessary to interfere with that state of things ? It was done for a purpose; that purpose was oppression, and the Government of the day did right to interfere. The noble Earl had said that the Act was a dead letter. But even although nobody had thought it worth while to enforce the measure, it still stood as a protest against that foreign interference, and in that respect it had a value. The best proof that no injury was done by the adoption of the principle of the Act was to be found in the fact that a clause of a similar purport had been inserted in the Roman Catholic Relief Bill with reference to Roman Catholic prelates in Ireland ; and that no one had complained of that provision. The Act was passed as a denial of the right of the Pope to issue any order that was to be obeyed in this country ; and the Pope would have interfered less with our independence if he had created an Archbishop of Canterbury than he had interfered with it by creating an Archbishop of Westminster ; because, in the former case, he would only have dealt with an existing diocese, and he could not have claimed a power of parcelling out the country into such ecclesiastical divisions as he might think fit. The sending of bulls and documents which came directly from the Pope was prohibited by law as old as the Plantagenets, and there had been a continued protest against such interference from the earliest days down to the present time. The noble Earl had moved for a Committee on this subject ; but even according to his own admission a Committee was unnecessary, for he said that all the evidence on the question had been given elsewhere. It would be far better to have the question treated in a Bill, than to have a Committee in which a few Members, according to their bias, might prepare a Report which would, perhaps, rather tend to embarrass the House than to assist it. Now, whatever he had said on this subject had been uttered without the slightest feeling of animosity toward those who professed the Roman Catholic religion. On the contrary, up to a few years ago he was rejoicing at the good feeling which had arisen and was extending between persons of that faith and Protestants. Any one who remembered the religious contentions in which we had been involved at the time of the passing of the Roman Catholic Relief Bill, and again at the period of the passing of the Ecclesiastical Titles Bill, must have perceived that kindlier feelings had for some years sprung up among the professors of the Protestant and the Roman Catholic creeds. Within the last few years, however, things had been materially altered. There had been a degree of agitation on the subject of the claims of Roman Catholics on different points, which he was sorry had been pushed forward in a manner which had led to a great degree of ill-feeling, and which, if persevered in, would lead to a great deal more. The temper of this country was such that, if once excited, it might go to considerable extravagance. They might depend upon it that the Protestant feeling of this country was of such a nature that it was not desirable to excite it in any way, and he, therefore, sincerely regretted the moving of these questions. He confessed he did not think the appointment of a Committee on this subject desirable, and he should be sorry that their Lordships should agree to it.

Lord LYVEDEN said, their Lordships would recollect that when he brought forward this question last Session, one Peer after another rose to express his penitence for having consented to the passing of the Ecclesiastical Titles Act. The noble Earl on his left (the Earl of Kimberley) excused himself on the ground that he was very young at the time; and the noble Earl below him (Earl Granville) said that, as he was not then in the Cabinet, he was not responsible for the measure brought forward by the Ministry, though he had supported it, and the noble Marquess (the Marquess of Clanricarde) also regretted what he had done.

The Marquess of CLANRICARDE: I did not say so. I said I would vote for it again under the same circumstances.

Earl GRANVILLE said, he thought his noble Friend (Lord Lyveden) had better consult *Hansard* on the subject.

Lord LYVEDEN said, it appeared that he had been mistaken with respect to the opinion of the noble Marquess; but many of their Lordships had certainly made their recantations on the occasion to which he had referred. He did not mean to cast any reflection on his noble Friends. He knew a very important question on which public men had changed their opinions over and over again in the course of one year. He would pass, however, at once to a consideration of the present state of the question. There was at that moment a Bill before the House of Commons for the Repeal of the Ecclesiastical Titles Act; and, as it was reported in the newspapers, the Prime Minister stated he would soon give the opinion of the Government upon it. That being so, a legitimate opportunity would perhaps be given to their Lordships of expressing their views on the subject in a short time. Into what was the Committee to inquire? The Report of the Committee of the other House had been presented, and they had recommended the repeal of the Act 14 & 15 *Vic.*, c. 60, and of the 24th section of the Act 10 *Geo. IV.*, c 7, and they submitted for the consideration of the House whether, for the purposes of legal description, certain modes of designation applicable to Roman Catholic Bishops might not be adopted, whereby some inconvenience which had been pointed out to the Committee might be avoided. That was a matter which might properly come before the House in discussing a Bill in Committee, and if the noble Earl had confined his request to that there might have been some object in it. But the noble Earl desired to discuss the Acts referred to themselves; but what object could he expect to attain by that? The Committee asked for would only reproduce the evidence already given in the House of Commons, or comment upon what was already before them, or add the testimony of similar witnesses. Among the witnesses examined before the House of Commons Committee were Mr. Justice O'Hagan, Mr. Hope Scott, Dr. Manning, Dr. Ullathorne, and Sir George Bowyer, than whom men more competent to give an opinion upon the subject could not be obtained. Unless, therefore, their Lordships wished for some harmless occupation for their leisure hours, he could not imagine what good would result from the appointment of a Committee. Lord Derby had said that it was not well to moot a subject which would only excite religious discussions and religious differences. Would there not be enough of religious animosity next week without such a Motion as this? Perhaps the noble Lord wished to know what decision the Government had come to; but after ascertaining this a Committee would be unnecessary. If the House assented to the Motion of the noble Earl, he hoped care would be taken to so limit the inquiry as that it should not be allowed to interfere with the passage of the Bill for the Repeal of the Ecclesiastical Titles Act if it came up to that House in time. He had no great objection to the Committee asked for; but he had the strongest possible objection to the Ecclesiastical Titles Act, which was one of those obnoxious measures, to a large body of people, which had made us to an extent unpopular with the Irish Roman Catholic Population. Acts every one of which we should wish to see removed.

THE DUKE OF SOMERSET said, he did not see what advantage was to be gained by the appointment of the Committee which had been asked for. Having formerly voted for this Ecclesiastical Titles Bill, he wished to say that he had not changed his opinion upon the subject. This assumption of titles was, under the circumstances of the time, an outrage upon the dignity of the Crown and upon the Protestant feelings of the country. He believed that the country so regarded it, and that a protest was absolutely necessary. He was glad that the Act had had no further consequence; for he did not wish to impose any penalties upon religious opinion, nor did he think at the time that it would be possible to enforce the penalties. The protest embodied by the Act was all that was valuable in it. Their Lordships would remember the circumstances under which the Bill was brought forward. Both sides of the House, before this assumption of titles, had shown their anxiety to conciliate the Catholics, and to bring them into amicable relations with the Protestants. But when such a step was taken as this assumption of titles the Government were bound to meet it. At present we were very liberal on all sides, and, with a generosity, which people often showed in giving away what did not belong to them, Parliament was going to give away the Prerogative of the Crown. The Crown, as the fountain of honour, had the prerogative of bestowing titles. If the rights of the Crown, in this respect, were given away with the assent of the Crown and of the Government, of course there could be no objection; but he believed that the step would be offensive to the people of this country. There was a very strong Protestant feeling in this country, and it would be very unwise to disturb this question for a small purpose. This was only one of many questions, and it was both unnecessary and useless to take it by itself and disturb the country with it. All these questions should be dealt with at once. He thought the Committee asked for would be perfectly useless, and that when the Bill now before the other House came before their Lordships, would be the proper time to make such alterations and amendments in the existing law as should be fairly consistent with the authority of the Crown.

THE MARQUESS OF CLANRICARDE thought the Ecclesiastical Titles Act ought to be repealed, for his noble Friend who made the Motion showed clearly that the Act was of no use whatever for good. But it was quite another thing to have been a party to the Bill when proposed. It was brought forward in consequence of an invasion of Her Majesty's authority on the part of the Pope, in the creation of ecclesiastical titles. At that time, rightly or wrongly, wisely or unwisely, there was a strong feeling in this country on the subject, in consequence of that assumption on the part of the Pope, and of the Tractarian controversy which was then going on, and the country was amazingly excited. It was not at all advisable to rouse the Protestant feelings of the people, and to swell the "No Popery" cry; and the Government of the day took what they thought was a safe and moderate course to prevent this, and to protest against the act of the Pope. For this object the Bill was perfectly successful; but, while the Bill had otherwise been useless, he had not anticipated the effect it would have of creating a practical evil. At this moment it was a grievance, and a serious grievance, to eminent Roman Catholics; for there were cases—with reference, for example, to wills and bequests—in which, in Courts of Justice, it might be absolutely necessary to ascertain who were the individuals exercising certain ecclesiastical functions, and by signing certificates in the names by which they were recognized in their Church they would be compelled to violate the law. While, therefore, the Act now did no good, it was not wholly harmless, and ought to be repealed. He agreed, however, with his noble Friend who spoke last, that no good would result from the appointment of a Committee. The matter was ripe for decision now. To say that a return to the state of things which existed before 1851 would imply the giving of more power to the Pope in this country than he ever possessed was to attach exaggerated importance to the Act. The Pope might exercise his powers of dispensation, and so he might now. He might grant a dispensation for the marriage of an uncle with his niece, as was apprehended, and so might any of their Lordships, or any man in the streets; but that would not make such a marriage legal, and would not entitle any one to inherit property under it. No such dispensation could affect a legal title or right. It was perfectly consistent in those who supported the law in question when it was passed, to be anxious now that it should be repealed, and that nothing more should be heard about it, seeing that the titles of the Roman Catholic prelates were not put forward in a manner such as to give offence to those who were not Roman Catholics.

Earl GREY said, he did not think full justice had been done to the noble Earl's Motion by those of their Lordships who had spoken upon it. He thought it might be questioned whether, having passed the Ecclesiastical Titles Act as a protest Act, under the circumstances which seemed to call for it, the simple repeal of the protest would leave us in precisely the same position we occupied before the passing of the Act. It would be taken to imply that we had made a protest that we ought not to have made, and that for that reason we withdrew it. He did not think that the question was so simple as it was assumed to be. The list of witnesses read omitted some persons whom it would be proper to hear before we came to a final conclusion on the subject. He wanted some good ecclesiastical lawyers to explain what would be the effect of a simple repeal of the law, and so to indicate the proper course to be taken with regard to all these ecclesiastical titles. They ought to adopt the same course with respect to the Scotch Episcopal Bishops that they did with respect to the Roman Catholic Bishops. They ought to allow either or to allow none to assume territorial titles. But he thought an exaggerated importance had been attached to the whole subject. What real harm did it do to anyone that the Pope authorized Cardinal Wiseman to call himself Archbishop of Westminster? It gave him no power or jurisdiction whatever, and if he had gone to a Court of Law he would be told that he had no ground for the assumption of any power of jurisdiction. But with regard to his moral power and jurisdiction over his own flock, no Act of Parliament could alter that; and he possessed it just as much after the passing of the Ecclesiastical Titles Act as he did before it. Prejudice and passion on both sides had raised this question to undue importance, and, under the circumstances, he (Earl Grey) considered that the Motion before the House was a very judicious one.

The LORD CHANCELLOR: Nothing could be more at variance with your Lordships' usual practice than for your Lordships to grant a Committee that is moved for, and assume in doing so that you had arrived at a foregone conclusion, as to what the Report of that Committee should be. The conversation that has taken place in this House to-night will have satisfied your Lordships how widely different are the opinions entertained on the subject of the Motion of my noble Friend. It appears to me that all we can at present do is to consider whether my noble Friend has or has not made out a case for a Committee upon the subject. I will say that in my opinion my noble Friend has fully made out a case for a Committee. In the first place, without entering into a detailed examination of the circumstances under which the Act of 1851 was passed, I think that those who, like myself, consider that that Act was, at all events, valuable as a protest, are compelled to admit that the protest contained in that Act was made in the most inconvenient form, and in a manner which, while, perhaps, it secured in some way the end of a protest, has accompanied the protest with consequences which experience has proved eminently undesirable. More than that, my noble Friend has referred to a Select Committee of the other House of Parliament which sat during the last Session upon the subject, and it is quite true that that Committee presented a Report which has already been referred to; but it should be remembered that that Committee was so evenly divided in opinion that the Report was carried simply by the casting vote of the Chairman. There was a discussion in this House last Session, when various Members of your Lordships' House again took different views upon the question of the repeal of the Act of 1851 and the section of the previous Acts, some of your Lordships expressing the opinion, contrary to opinions previously entertained, that that repeal should take place, while others were of opinion that the Act should be continued unchanged. With these differences of sentiment in both branches of the Legislature, I cannot but think, if there are facts to be inquired into, and if there be law to be considered, nothing can be more convenient than a Committee of this House for that purpose. I own I do not quite take the view of my noble Friend (Lord Lyveden) who said, that in the evidence taken by the Committee of the other House he should find all the information upon this subject which could be required. I think that that evidence might be very usefully enlarged. There are many points connected with this subject as a whole which were not inquired into by that Committee. Let me point out what advantage it seems to me may result from inquiry in this House. My noble Friend has done well to give his proposition the breadth and scope which it derives from the words of his notice of Motion. No greater mistake could be made than to suppose this is simply a question connected with the Roman Catholic Church; and that it is not a question which goes very much further, and involves the whole law with regard to the Prerogative of the Crown, and the assumption of titles of the kind which has been referred to by any Church or by anybody. My noble Friend, therefore, has proposed that a Select Committee shall be appointed to inquire into the operation of all the laws of the country with regard to the assumption of ecclesiastical titles, whether the laws be written or not written, and, moreover, whether any alteration should be made therein. It has been urged in objection to the Motion that there is no Bill before the House, and a noble Lord appeared to think that that was an objection to the appointment of a Committee. I own I think, on the contrary, it is a great advantage to the Committee. If there were a Bill before the Committee simply repealing one or both of the Acts which had been referred to, there would be very considerable danger of the Committee raising upon that Bill more or less of a struggle, and there would be a desire either to pass the Bill or reject it; and it would not have that cool and disembarrassed consideration which, in a Committee of this kind, may be given to the law apart from any measure that may be pending. I think, moreover, if there is any place where this subject can be considered dispassionately and, I might almost say, in a judicial spirit, it is before a Committee of this House. We can approach this subject without any of those prejudices or passions which surround the discussion of it "elsewhere." We may hope to have the assistance of the right rev. Bench, whose authority on subjects of this kind must carry the greatest weight. If a Committee be appointed, although I do not anticipate what conclusions it may come to, I certainly trust one result, at all events, will be that the law upon this subject in whatever enactments contained, will be put on a clearer, a better, a more definite, a more consistent, and a more satisfactory footing than it is at present.

THE EARL OF MALMESBURY: Your Lordships will have gathered from the statement of my noble and learned Friend (the Lord Chancellor) that the Government, as a Government, have no objection whatever to the appointment of this Committee; but that, on the contrary, they think it will be rather useful than otherwise. I wish, however, to say a word with respect to my own conduct. I certainly was one of those who voted in favour of the Ecclesiastical Titles Bill in 1851, though I was prevented by domestic reasons from being present when the matter was discussed in this House last Session; but had I been present I certainly should not have cried "Peccavi" as some of your Lordships have done. I am not at present prepared to say that I regret the vote which I gave in 1851; but, at the same time that circumstance only makes me the more anxious to investigate and thoroughly understand the change of feeling which has occurred since the passing of the Act and the causes which have induced many of your Lordships, and a considerable portion of the people of this country, to alter their minds on the subject. I must protest against what has been said by the noble Baron on the back Benches (Lord Lyveden) as a reason for not discussing this question; for I think your Lordships will agree with me that it is not our business to be biassed by what is going on in the other House of Parliament, but that we ought to do our duty in an independent spirit. A measure has, I believe been laid upon the table of the other House of Parliament in reference to this question; but, at present, it is not our business to go into that at all. The probability that that measure will be sent up to us is an additional reason for appointing a Committee, in order that we may be thoroughly informed on the subject. I very much regret that the noble Earl (Earl Russell) is not present, and also the cause of his absence from the House this evening; for he certainly bore a very prominent part in passing the Act of 1851, and I should have liked to hear his opinion respecting the advisability of stirring up the subject again, and bringing it before your Lordships' consideration. I trust my noble Friend who has proposed this Committee will take some pains to constitute it in such a manner as to make it impossible for anybody to suppose that it was biassed by any political or party feeling, and that with this end in view he will invite such Members to sit on it as are best able to investigate this question calmly and with experience. I also think it essential that some of the right rev. Prelates should be appointed Members of the Committee.

Motion *agreed to.*

And, on March 30, the Lords following were named of the Committee: the Committee to meet on March 31, at Four o'clock, and to appoint their own Chairman:

Ld. Chancellor
Ld. Abp. York
Ld. Privy Seal
D. Somerset
E. Stanhope
E. Carnarvon
E. Harrowby
E. Granville
E. Russell
L. Bp. London
L. Bp. Oxford
L. Redesdale
L. Colchester
L. Somerhill
L. Lyveden.

### COMPULSORY CHURCH RATES ABOLITION BILL.

Brought from the Commons; read 1ª.—(*The Earl Russell.*) (No. 55.)

### MEDICAL PRACTITIONERS (COLONIES) BILL [H.L.]

A Bill to enable Colonial Legislatures to enforce Registration of Medical Practitioners in the Colonies—Was *presented* by The Duke of Buckingham and Chandos; read 1ª. (No. 56.)

House adjourned at half-past
Six o'clock till To-morrow
half-past Ten o'clock.

## HOUSE OF COMMONS,

### *Thursday, March* 26, 1868.

MINUTES.]—Select Committee—On Sale of Liquors on Sunday *nominated;* Public Schools *nominated.*

Supply—*considered in Committee*—Army Estimates.

Public Bills—*Ordered*—Local Government Supplemental.*

*First Reading* — Local Government Supplemental * [77]; Boroughs and Divisions of Counties * [78].

*Second Reading*—Perth and Brechin Provisional Orders Confirmation * [74]; Ecclesiastical Commissioners Orders in Council [69].

*Committee*—Election Petitions and Corrupt Practices at Elections (*re-comm.*) [63] — [R.P.]; Mutiny; Consolidated Fund (£6,000,000) *; Inclosure * [73].

*Report* — Mutiny; (£6,000,000) Consolidated Fund; Inclosure * [73].

*Considered as amended*—London Coal and Wine Duties Continuance [43].

*Third Reading*—Oyster and Mussel Fisheries * [54]; Indian Railway Companies * [55]; Court of Appeal Chancery (Despatch of Business) Amendment * [68], and *passed.*

### LOCAL GOVERNMENT ACTS.

#### QUESTION.

Mr. PIM said, he wished to ask the Chief Secretary for Ireland, Whether his attention has been called to the working of "The Local Government (England) Act, 1858," and "The General Police and Improvement (Scotland) Act, 1862," and to the facilities afforded by those Acts to corporate and other towns in Great Britain to obtain power for the better execution of the Local Improvement Acts in force in such towns, without incurring the costs and expenses attendant upon Private Bill Legislation; whether it is his intention to propose any similar Act for Ireland, by which the advantages now enjoyed by the cities and towns of England and Scotland, and which have been so largely availed of, be extended to the cities and towns of Ireland; whether the Laws which provide for the keeping, for the auditing, and for the publication of the accounts of the municipal corporations, the boards of town commissioners, and some other public bodies in Ireland, are not very defective, and whether he intends to propose any remedy therefor; whether it is not the case that, in respect to the election of commissioners under "The Towns Improvement (Ireland) Act, 1854," equal facilities are not provided for the exercise of the Franchise as are provided for the election of the English local boards under "The Public Health Act, 1848," and "The Local Government Act, 1858;" and, whether he is prepared to take this subject into consideration, and propose a remedy?

The Earl of MAYO, in reply, said, he quite agreed with the hon. Gentleman that the Irish Law in regard to the matter in question was defective, and it would be a great public advantage if the same facilities for obtaining provisional orders which existed under the Local Government (England) Act were provided for Ireland. He also thought that the mode of taking the polls at municipal elections for Ireland was very defective, and ought to be remedied. It would also be a great public advantage if a more effective mode were adopted for auditing the accounts of local bodies acting under the Municipal and Towns Improvement Acts. He had given directions that the Towns Improvement Act generally should be very carefully considered, for the purpose of making some amendments in it; and he hoped shortly after Easter to lay on the Table a Towns Improvement Bill which would deal with the questions to which the hon. Gentleman had referred.

## ARMY—COOKING APPARATUS.

### QUESTION.

Colonel SYKES said, he would beg to ask the Secretary of State for War, Whether the application of Captain Warren, R.N., whose patent cooking apparatus has been adopted for use in the Army by War Office Memorandum, dated War Office, 21st August, 1867 [B/a—1741], will be referred to the "Standing Committee for the consideration of the claims of inventors to rewards," in conformity with the War Office Circular, dated 28th June, 1867 [84 Gen. Nos. 1571 and 1601]?

Mr. THOMSON HANKEY said, he also wished to ask, Whether a cooking apparatus of a similar character had been patented by Mr. Jaques?

Sir JOHN PAKINGTON, in reply, said, it was quite true that Captain Warren had claimed to have invented such an apparatus; but he believed that Captain Warren had been sufficiently rewarded by having his apparatus purchased from his own agents, and he (Sir John Pakington) certainly had no intention to refer the question to any Committee. With reference to the Question of the hon. Member for Peterborough he really was unacquainted with the merits of Mr. Jaques' invention; but if the hon. Member would renew his inquiry he (Sir John Pakington) would afford any information which he might be able to obtain.

## POST OFFICE—EASTERN MAIL SERVICES.—QUESTION.

Mr. CRAWFORD said, he wished to ask the Secretary to the Treasury, Whether the sums, amounting in the whole to £27,643, stated in a Return dated 7th December, 1867 (Parliamentary Paper, No. 68, of the present Session), to be the estimated receipts in respect of the Eastern Mail Services outwards and inwards for four weeks, are calculated at the rates of postage in force at the time when the Return was made up, or at the present increased rates; and, in the former case, what may be the sum by which the Estimate of £27,643 may be expected to be augmented by reason of the increased charge; whether the sums receivable in India or elsewhere out of the United Kingdom are included in the estimate in question, so as to come in further diminution of the sum which may be voted for the conveyance of the Eastern Mails; and, whether an exact account is kept of the postages received or chargeable in respect of the said Services?

Mr. SCLATER-BOOTH replied, that the receipts were calculated on the rates in force at the time when the Return was made up. If the increased rates now in force had been taken into consideration, there ought to have been an increase in the estimate of £2,900 per month. The whole of the sums receivable in India, as well as elsewhere, were taken into account in this estimate, and a separate account of the outward and inward postage was kept.

## RATES FOR SANITARY IMPROVEMENTS.

### QUESTION.

Viscount ENFIELD said, he wished to ask the Under Secretary of State for the Home Department, Whether any defect exists as regards the levying of Rates for Sanitary Improvements in the provisions of the forty-ninth Clause of "The Sanitary Act, 1866," and of the second Clause of "The Sewage Utilization Act, 1867;" and, if so, whether he proposes during the present Session to bring in any measure to remedy the same; and, whether any steps have been taken, under the provisions of the above-mentioned Acts, to remedy the imperfect state of the drainage of Acton, Chiswick, and a detached part of Ealing, as reported to the Home Department in October, 1866, by Mr. Fulton, the engineer?

SIR JAMES FERGUSSON, in reply, said, he was not prepared to admit that there were defects in the Law to which his noble Friend pointed. Where the Secretary of State had reason to believe there was any disinclination on the part of the local authority to execute necessary drainage operations, he sent down a person to inquire into the case; if he found the local authority disinclined to perform the necessary works, he ordered them to be carried into execution, and he had power to recover the cost of the works. The remedy was by attachment of the property of the defaulting parties. In the case of a vestry there was no personal property; and it was a question, whether the Secretary of State could oblige the overseers to pay. The Opinion of the Law Officers of the Crown had been taken last year, and, from their Opinion, it appeared doubtful if the Act of 1867 gave powers to the Secretary of State to issue a precept to the overseer to levy additional rates. But, believing that the Legislature intended to give him the power to enforce his order, his (Sir James Fergusson's) right hon. Friend intended to try to enforce it, and if he found that he had not that power, he would apply to Parliament for additional powers. The parishes in question had failed to execute the necessary works because the Metropolitan Board declined to allow them to drain into the only available outfall, on the ground that it was insufficient for the purpose. They would therefore have to take other steps.

## IRELAND—TREATMENT OF PRISONERS. QUESTION.

MR. STOCK said, he wished to ask the Chief Secretary for Ireland, Whether the Law in Ireland is the same as that in England with regard to the treatment of prisoners convicted of seditious libel?

THE EARL OF MAYO said, in reply, that he did not know whether this was quite a Question which he should be called upon to answer; but he might state shortly what he believed to be the difference of the Law in England and Ireland. In Ireland the Law did not provide for the classification of prisoners convicted of misdemeanour; but in England the Prison Act of 1865 contained this provision—

> "And whenever any person convicted of misdemeanour is sentenced to imprisonment without hard labour, it shall be lawful for the Court or Judge before whom such person has been tried to order, if such Court or Judge think fit, that such person shall be treated as a misdemeanant of the first division, and a misdemeanant of the first division shall not be deemed to be a criminal prisoner within the meaning of this Act."

The treatment of persons undergoing sentences for this description of offences was that of first-class misdemeanants, which was regulated by Rules made by two Justices at Quarter Sessions, subject to the approval of the Secretary of State. He would hand a copy of those Rules to the hon. Member.

## ARMY—GRANT FOR FORTIFICATIONS QUESTION.

COLONEL SYKES said, he wished to ask the Secretary to the Treasury, Whether the Treasury Minute, dated the 16th August, 1867, for the audit of the sums granted for Fortifications annually has been carried into effect; and whether the results will be laid upon the Table?

MR. SCLATER-BOOTH said, in reply, that the annual audit of these sums had been carried into effect in accordance with the terms of the Treasury Minute, and the results of that audit would be laid upon the table of the House as soon as possible. He could not promise, however, that they would be ready by a very early day.

## THE SURVIVORS OF THE "ST. ABBE." QUESTION.

MR. BAILLIE COCHRANE said, he would beg to ask the Secretary of State for India, If it is the intention of the Government to send out any person to the East Coast of Africa, to inquire into the truth of the report that there are detained as prisoners, by the Somali tribe, some survivors of the ship *St. Abbe*, which was wrecked off Tenadi Nuova in 1855?

SIR STAFFORD NORTHCOTE said, in reply, that a deputation, consisting of members of the Royal Geographical Society, including Sir Roderick Murchison, waited upon him at the India Office some time ago, and represented that steps should be taken to inquire into the truth of the report relative to the supposed survivors of the ship *St. Abbe*. It was suggested by the deputation that the Government should give facilities to a gentleman well acquainted with that part of Africa to make inquiries respecting those persons. The matter was considered by the Council of India, who did not think it right that any facility of that kind should be given, or that the Government should pledge itself in any way, and make such inquiries through an authorized agent of the British Government in a country with which we had no diplomatic relations. However, another suggestion was made, which was that there was a great fair being held at Berbera about this time of the year, and that among the large numbers of persons present there might be means afforded of making inquiries as to the existence of these alleged survivors, and it was suggested that a reward might be offered which should have the effect of bringing the required information. He had communicated with his noble Friend the Secretary of State for Foreign Affairs upon the subject; and, with the noble Lord's concurrence, he had communicated with the English Resident at Aden, authorizing him to offer a suitable award for any information respecting the subject of the report.

## INDIA—THE BONUS COMMITTEE.

### QUESTION.

MR. **BRUEN** said, he would beg to ask the Secretary of State for India, When the Bonus Committee sitting in India are likely to come to a settlement of claims to compensation made by Officers in the late East India Company's Army?

SIR **STAFFORD NORTHCOTE**, in reply, said, several Committees were sitting upon this subject. Inquiries had to be made into the particulars of each case, and in a great number of instances an award had been made of the sums payable to the Officers. As fast as the awards were made the money awarded was paid over to those entitled to receive it.

## DR. ROGERS, MEDICAL OFFICER OF THE STRAND UNION.—QUESTION.

SIR **JOHN SIMEON** said, he wished to ask the Secretary to the Poor Law Board, What were the grounds on which the Board accepted the resignation of Dr. Rogers, the late Medical Officer of the Strand Union; and, whether that resignation implied anything unfavourable to the character or to the professional ability of Dr. Rogers?

SIR **MICHAEL HICKS-BEACH** said, in reply, that the circumstances of the case referred to by the hon. Member were these:—In December last the Board of Guardians of the Strand Union called upon their medical officer, Dr. Rogers, to resign, and the matter coming before the Poor Law Board, they asked for an explanation of the reasons for such a step being taken. The Board of Guardians returned for answer that Dr. Rogers had, for a long time past, committed a series of indiscretions which rendered it impossible for them to work harmoniously together, and exhibiting a great want of courtesy in his communications with the Officers of the Board. The result was, that the Board thought it necessary to suspend him from his office. With respect to the second part of the Question, he could not do better than read the concluding paragraph of the Board's letter on the occasion, which stated—

> "The Board are happy to be able to add that no blame can be imputed to you in reference to the discharge of your strictly professional duties, and the Board do not doubt that you have shown zeal and ability in the performance of them. This adds to the regret of the Board that you should, from other causes, have rendered it necessary for them to accept your resignation."

## INDIA — RELIGIOUS PROVISION FOR SOLDIERS IN INDIA.—QUESTION.

MR. **O'REILLY** said, he would beg to ask the Secretary of State for India, Whether an order has been issued by the Governor General in Council in India—

> "Relative to providing a room in the Lines of European Regiments in India to which the men can resort for private reading and prayer, and for holding prayer meetings and other meetings of a similar character, and directing that a room of a suitable size, with such furniture as may be deemed to fit it for the purposes above-mentioned, shall be considered one of the recognized requirements in the barracks of every British Regiment or considerable detachment of British Troops; and further that a residence will be assigned to a Scripture Reader in the married quarters."

Whether the rooms contemplated in the above order will be available for the Roman Catholic Soldiers for similar purposes of united and public prayer and other devotional exercises consonant with their religion; and, whether in cases where Roman Catholic Soldiers comprise the majority or or other large portion of the troops, a residence will be assigned to a Roman Catholic Catechist or religious teacher, as in other cases to a Protestant Scripture Reader?

Sir STAFFORD NORTHCOTE, in reply, said, he had received no information on the subject of this order, although he had seen some reference to it in the newspapers. If such an order had been issued he would no doubt receive official information respecting it in a few days.

## ARMY—DAILY PAYMENT OF MEN.

### QUESTION.

Colonel W. STUART said, he would beg to ask the Secretary of State for War, Whether the Order for the daily payment of Men in the Army after Morning Parade in the presence of an Officer under Queen's Regulations 1859, page 132, sec. 65, is continued in the same way by the Queen's Regulations 1868, page 90, paragraph 387, which states, "that the issue of pay is to be made punctually, in accordance with Royal Warrant, Part I., paragraph 534," this paragraph not being set out in the Queen's Regulations; and, whether the Order for the daily payment of Men in the presence of an Officer renders it necessary to pay the Men on Sunday, in the presence of an Officer after Morning Parade, there being no other Parade except Church Parade, which does not always take place at the same hour for all the Men of a Regiment?

Sir JOHN PAKINGTON said, in reply, that he had written to the Adjutant General with reference to the Question of the hon. and gallant Member, but he had not yet received a reply. He would give an answer to the hon. and gallant Member's Question on a subsequent day.

## PETIT JURIES (IRELAND) BILL.

### QUESTION.

Mr. ESMONDE said, he wished to ask Mr. Attorney General for Ireland, Whether he intends to proceed with the Petit Juries (Ireland) Bill that night?

The ATTORNEY GENERAL for IRELAND (Mr. Warren) said, in reply, that if there was any objection to proceed that night with the Bill, which was similar to the one introduced last year, it should be taken the next day.

## PARLIAMENT—ARRANGEMENT OF BUSINESS.

Mr. GLADSTONE: I think it would be convenient that the House should know the business it is intended to take this evening. There are four or five subjects of great interest and importance set down—Supply, the Mutiny Bill, the Controverted Elections Bill, and the Capital Punishments Bill.

Mr. DISRAELI: Of course the arrangement of business for this evening will be greatly dependent on those Gentlemen who have Motions upon going into Committee of Supply, and if a considerable time is occupied with these, I must modify the proposed arrangements. In that case I shall not be able to proceed, as I could much have wished to do, with the Controverted Elections Bill, as I understand there is to be considerable discussion in Committee on the Mutiny Bill, and that is of so pressing a character. But if we go into Supply and obtain some Votes, then I shall avail myself of the privilege of going on with the Controverted Elections Bill. With respect to the Motion of which the Chancellor of the Exchequer has given notice on the subject of telegraphy, we anticipated that probably the House would be satisfied with hearing his statement, and that there would be no discussion on it, and therefore that it might be made at a very late period of the evening.

Mr. GLADSTONE: I beg to ask, what is to be done with the Capital Punishment Bill? I would also take the liberty of suggesting, with reference to the Telegraph Bill, that the subject is one of such novelty, and involving a number of complex details, that it would hardly be desirable for the House to proceed with it at a very late hour.

Mr. DISRAELI: With respect to the Capital Punishments Bill, if it comes on late—and of course discussion is anticipated upon it—we shall not press it. If it is the wish of the House that the Telegraphs Bill should not be brought forward, of course we are in their hands, and shall not press it. In answer to Questions, the right hon. Gentleman added, that neither the Capital Punishments Bill nor the Controverted Elections Bill would be brought on after half-past ten o'clock.

## THE REV. MR. WILSON.

### PERSONAL EXPLANATION.

Mr. GREGORY asked leave to make a brief personal explanation, and to do justice to a gentleman to whom he had unintentionally done injustice. In the discussion which took place the other night on the Motion of the hon. Member for Cork (Mr. Maguire), he (Mr. Gregory) alluded to the language used by some clergymen at the different Church defence meetings held in Ireland, and, amongst others, referred to the language used by the Rev. Mr. Wilson, at Limerick, whom he incorrectly described as Moderator of the Presbyterian Assembly of Ulster. He was informed, and, at the time, he unquestionably believed it to be true, that the Mr. Wilson who made the speech was the Moderator of the General Assembly of Ulster. He now found he was in error, and as the statement had given that rev. gentleman very great pain, he took that opportunity of correcting the mistake.

## SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

## BANKRUPTCY LAW.—OBSERVATIONS.

Mr. MOFFATT, in rising to call attention to the position of Parliament in reference to the amendment of the Law of Bankruptcy, and to the expediency of introducing a Bill into the House for that purpose without delay, said, that the law as it now stood gave immense privileges to debtors, restrained greatly the rights of creditors, and vested large discretionary powers in the Judge. He ventured to say that the Law of Bankruptcy was one of the most important of laws in a commercial community like that of this country. The Bankruptcy Law was amended by Lord Westbury's Act in 1861, and in 1864 the number of bankruptcies had increased from 1,432 to 7,224, whilst the amount of assets had decreased about 50 per cent. In 1867 the number of bankruptcies had increased to 8,994. By Lord Westbury's Act it was provided that persons might become bankrupts on their own petition; and in 1864 there were of these 5,260, and in 1867 the number was 6,532, showing an increase of gentlemen who, having nothing to pay, chose to become bankrupt, of 25 per cent. In 1864 there were discharged without any punishment 5,335 bankrupts, and the number in 1867 was 6,902; but the amount collected had shrunk from £677,000 to £583,000. The number of bankrupts who had paid no dividend was no less than 5,876; and this, he submitted, could not be considered a satisfactory state of things. He indeed believed that the whole system had fallen into such a state that it was as bad as it could be. The figures to which he had referred did not at all show the extent of the evil; for the facilities given by the Act of 1862 for private arrangements had led to gross abuse, which reflected the greatest possible discredit upon the legislation of the country. Under the Act of 1862 composition deeds became a part of the Bankruptcy Law; and the number of them had since very largely increased. Their number in 1862 was 698, and in 1867 3,971, giving a gross amount of unsecured debts of £373,000, as against £8,246,432. The number of the deeds of assignment registered in 1862 was 1,886, in 1864 2,284, and in 1867 2,803; but the gross amount of unsecured debts had risen from £1,013,000 in 1862, to £5,725,592 in 1864, and £10,642,646 in 1867. The same result had occurred with deeds of inspectorship, which from 46 in 1862 had increased to 138 in 1867, showing a gross amount of unsecured debts of £190,400 in the former year as against £10,753,550 in the latter. No man could go into any counting-house in the City without finding the present state of the law strongly reprobated. It really would almost appear that the House of Commons had successfully endeavoured to invent some system by which creditors should be mulcted of the money to which they were entitled. Seeing how the Act of 1862 was working, the House in 1864 appointed a Committee which inquired very carefully and fully into the question, and afterwards made a Report, recommending the establishment of some cheap and simple mode of administering bankrupts' estates, such as the Scotch system. The Committee endeavoured to disentangle the question of punishment of debtors from that of the distribution of their estates, and they recommended the abolition of the Bankruptcy Courts, both the London and the District Courts. He could not say that these recommendations had been productive of much good. It was quite true that they caused the introduction of a Bill in the following Session; but that Bill was of so cumbrous a character and so little regarded the recommendations of the Committee that it soon ceased to exist. The Bill of 1866, though more formidable in appearance than its predecessor with its 480 clauses, required two Bills to prop it up, and was now considered useless. He thought that the House of Commons should be specially charged with a subject which was so intimately connected with trade, and he found with deep regret that this great question was relegated to the other House. He could not refer to what had occurred in "another place"; but he hoped to receive some information as to the principles of the Bill which the Government intended to bring before the House of Commons. The present law was a remnant of the old system of protection which governed all our commercial dealings two centuries ago. We began by protecting the creditor, and then went on to protect the debtor. The result was that we had a system of protection so perfect for the debtor, and so adverse to the creditor, that it was as discreditable to fair dealing as any of the worst cases of protection in the matter of trade which had long ago ceased to exist. It might be described as giving immunity to fraud, and as confiscating the assets of creditors. In 1865 the amount divided among creditors was £450,000, and to divide that sum it cost £375,000. When they coupled this with the fact that every man could make himself bankrupt and get discharged from his debts with the greatest immunity, he thought that it must be felt that there could not be a worse system. A debtor who did not want to pay his debts frequently said, "I court inquiry, and I will put my affairs into the Court of Bankruptcy," and under this threat creditors took anything they could get rather than lose the whole. When these matters were considered they could scarcely be surprised at the distress which paralyzed the country, and the effect of this vicious legislation had been greatly increased by the facilities given to Limited Liability companies. In his opinion the sooner they abolished the whole system of the Bankruptcy Law the better. He hoped that they would adopt the Scotch system, modified to suit the wants of this country. Small changes would be of no use, and whilst they retained the present staff of Bankruptcy officials the Bankruptcy system would never have the public confidence, and would not deserve to have it. He wished to know the principles upon which the proposed Bill was founded; whether it was in accordance with the recommendations of the Committee of 1865; and further, whether, instead of a Bill framed in cumbrous and tortuous language, it would not be possible to bring in a short and simple measure? If they did not do this they had better at once repeal the existing Bankruptcy Law, and do for one year without a Bankruptcy Law; for he was satisfied that this even would be a great relief to the commerce of the country.

The ATTORNEY GENERAL said, that it would be very inconvenient for him to state the principles of the measure. The House was perfectly aware that a Bill had been brought in and read a second time in the House of Lords; and, in due course, he hoped it would come before the House of Commons, when they would have the advantage of the hon. Member's knowledge of the subject in discussing the measure.

Motion, "That Mr. Speaker do now leave the Chair," *agreed to.*

## SUPPLY—ARMY ESTIMATES.

SUPPLY *considered* in Committee.

(In the Committee.)

(1.) £322,900, Clothing Establishments.

(2.) £506,300, Barrack Establishment.

(3.) £26,800, Divine Service.

(4.) £13,000, Martial Law.

(5.) £280,800, Hospital Establishment.

(6.) £686,800, Militia and Inspection of Reserve Forces.

(7.) £58,000, Yeomanry Cavalry.

(8.) £285,100, Volunteer Corps.

COLONEL BARTTELOT expressed a wish to make some remarks upon this Vote. An influential deputation, composed of Volunteer commanding officers, had recently waited upon his right hon. Friend the Secretary of State for War. The deputation was most courteously received, but its prayer was not granted—that prayer being that some increase should be made in the amount of the Grant voted for the Volunteer service. He (Colonel Barttelot) believed that, in the opinion of that House and the country, the Volunteer force was considered a most valuable though inexpensive one, and that it ought to be maintained in an efficient state. The question for the House and the country to consider was, whether such efficiency could be secured by a small addition to the existing Grant, or whether, by the refusal of the application made, they were running the risk of diminishing the force or causing it to dwindle away. It might be said that the force had not fallen off in numbers; but had, on the contrary, increased, and was increasing. That was no doubt true; but, nevertheless, subscriptions to the force were gradually declining; and the consequence was that a great amount of expense was thrown upon the force, and especially upon its officers. It was not, he believed, the wish of the House or of the country that that should be the case. If the force was to be kept up as a Reserve force some additional Grant must be made to it. All the Volunteers required was, that all expenses connected with drills away from head-quarters should be paid by the country. The Volunteers were willing to give their services to their country; but they considered that if they went to different places for the purposes of drilling for their country, that their country ought to pay their expenses. He thought that a Royal Commission ought to be issued to inquire into the whole question of the Reserve forces, of which the Volunteers were a valuable auxiliary.

MR. DARBY GRIFFITH felt that the Volunteer force must have been greatly disappointed at the answer given to the deputation the other day. The impression created in the minds of hon. Members, by the language used by the right hon. Gentleman the Secretary for War last year, was that this subject would be well considered and that some addition would be made to the resources of the Volunteer corps. The Yeomanry force was actually paid while out for training. That was not required by the Volunteers; but he thought, if the public provided the funds for prizes to stimulate rifle-shooting, all other necessary expenses ought to be borne by the State, and especially that of clothing, which was a necessary article of Volunteer equipment.

COLONEL SYKES, though not anxious to increase the public expenditure, thought that the Volunteers ought to receive something more than they did. The majority of the men composing the Volunteer ranks were workmen receiving weekly wages averaging from £1 to 30*s.* per week; and in their case, after three or four years' service, when their clothing was worn out they were unable to replace it, and were consequently lost to the service. The regimental subscriptions were always considerable, and the officers in command deserved the greatest possible credit for the pecuniary assistance they rendered. In India when men were specially employed they received an increased allowance. And he thought that when the Volunteers went to such places as Brighton or Portsmouth, it would be well to pay for their transit. Such casual allowances might be made without imposing any serious burden on the country.

COLONEL C. H. LINDSAY: Sir, I rise in the position of a Volunteer commanding officer, and as a duty which I owe to the service in which I am engaged; and I cannot help remarking that the question of an increase of the Capitation Grant is a much more serious one than many people seem to think. I shall, therefore, divide the remarks that I think necessary to make into three parts—namely, the past, the present, and the future, of the Volunteer movement. It is not difficult to describe the two former. With regard to the past, I will simply date back to the year 1859, and ask the Committee to remember what was the feeling which existed upon the question of invasion by France. It was, no doubt, an uneasy one, and one that was derogatory to the character and position of England; and if it had continued, most injurious to the interests of her trade and commerce. A remedy for this state of feeling was wanted. It was found by the bone and sinew of the country, who commenced the great national movement of defence; but which, for a time, did not inspire the necessary confidence. It must be, however, in the recollection of the Committee, that the movement did before long gain the approval and confidence of the country; and, from that time to this, a valuable and necessary armament has been recognized, possessing a great moral effect over Europe, settling the question of invasion, and dispelling alarm and panic, which would have been so destructive to every interest. So much for the past. With respect to the present position of the Volunteer service, it continues to exist. It exists partly upon the inadequate support it receives from the Government; partly, upon the support from private sources, and partly upon its own merits. It is more efficient than at any other period of its history. It has been mainly instrumental in the introduction of rifle shooting throughout the country. It has been instrumental in advancing science, in the manufacture of small arms, and it has produced the most remarkable skill in the use of those arms. Its discipline, its prestige, its morality, and its social element, are in a higher state of action than at any other time; and it is ready and anxious to continue to preserve those attributes, provided the Government of the day is willing to support it, and provide for its requirements; and this brings me to the important subject of the desired increase of the Capitation Grant, which is not going to be given. Now, Sir, as a Volunteer commanding officer, I have received in common with every other commanding officer in the country, that ultimatum, and I have, therefore, no hesitation in saying that the axe has been laid at the root by that ultimatum; and that its continued existence and efficiency are endangered by it; and that we, as commanding officers, will be placed in a very awkward and delicate position. The time has arrived when some clear understanding is necessary, so that there may be no mistake as to the position in which we are, as the nation's guard of defence. This is the serious and natural view to take, and it bears especially upon the future position of the movement. Now, it has frequently been remarked that the Volunteer movement has taken deep root in the country. Sir, no institution can be said to have taken root at all, if it is neither self-supporting nor adequately supported by the Government; and it is partly for that reason that we have, on two or three occasions, recorded our almost unanimous opinion that the requirements of it cannot be much longer met with success, unless the Government consent to increase the Grant, for the purses of those who have always been friends of the movement are wearied out. Sir, that significant deputation which waited upon the Secretary of State for War, a few days ago, informed him, through the noble Lord the Member for Haddingtonshire, what we, as commanding officers, considered to be necessary: that we did not ask as a favour, or a right, but that we considered our duty, both to the Government and the country, was to inform them of our opinion; and the noble Lord made it clearly understood that, in the event of an unfavourable reply, we should consider ourselves relieved from any responsibility should the Volunteer service collapse for want of support. We consider our opinion, as commanding officers, to be entitled to the fullest respect; and we cannot agree that the flourishing state of the service should be used as an argument against further aid from Government, for it would be a premium upon inefficiency and languor; and it is an unjust acknowledgment, after the extraordinary exertions that have been made to keep up the service in high efficiency and discipline for the honour and credit of the country. If the Volunteer movement is not worth any additional support from Government, it would be better that that policy should be declared, so that our position may be clearly understood. But, unless something more be done in support of the movement, we may all find ourselves in a serious scrape; some eight or ten years hence, when the present dynasty of France may have passed away, when our army may be engaged in some European war, and our shores denuded of the British bayonet, owing to the Volunteers of the country having dwindled down to a myth. We cannot now expect any additional Grant this year, owing to the heavy expenditure required by the army; but we ought to receive some assurance that our necessary requirements will receive the favourable consideration of the Government next year; for unless it can do so, consequences much to be regretted might ensue, against which our efforts would be powerless.

MR. DENT, in answer to the hon. Member for Devizes (Mr. D. Griffith), said he supposed that the reason why the Yeomanry were paid and the Volunteers were not was, that the Yeomanry had to be away from home with their horses for eight days, while it seldom happened that the Volunteers were absent for a single night.

MR. ALDERMAN LUSK said, he had always been in favour of economy; but he thought it barely respectable for the country to take services which were admitted to be very valuable, and, at the same time, to allow poor men to put their hands into their own pockets for the purpose of rendering those services.

MR. OTWAY contended that all men performing the same service should have the same rate of pay. When he had asked whether the serjeant-instructors of Volunteers were to have the additional *2d.* as the same class of men received in the army, he was told that the matter was under the consideration of Government. He wished now to ascertain whether that question had been settled?

MR. AYRTON said, that the other evening, while he was calling attention to some remarks made by the Secretary of State for War, the right hon. Baronet had interrupted him for the purpose of declaring that he had not made the statement attributed to him. Since then he had enjoyed the advantage of reading a very accurate report of the speech made by the right hon. Baronet, and found that it exactly corresponded with the views which he had expressed, and that the right hon.

Baronet did, in fact, inform the House that it was his intention to put the Militia and Volunteer forces under the command of general officers of high standing in the different districts of England. He should therefore like to have some clear and specific explanation of the views of the right hon. Baronet on this point. In his reply, at the close of the evening, the right hon. Baronet stated that it was his intention to appoint officers of rank, who, in some way or other—he did not make it very clear how—were to have control over the Militia and Volunteer forces. Did he contemplate any proceeding which was to interpose any general officers, or any officer at all, with authority over those forces, between the Volunteer corps and Militia, and the Secretary of State for War? If he did, the matter ought to be very formally and distinctly brought under the consideration of the House. He apprehended it would be a wholly unconstitutional proceeding to divest the Secretary of State for War of any part of his official responsibility in relation to the Militia or the Volunteers; and if any attempt were made, directly or indirectly, to place the Volunteer force under the control of general officers of the army, it must end in the total destruction of that body. The very essence of the Volunteer movement was that it was a spontaneous movement of the people, which should be carried on under the direct authority of the civil, without any intervention of the military power.

LORD ELCHO said, the intention of the Secretary of State for War was excellent —that of placing the Volunteers and other Reserves under a distinguished general officer, in order to effect as far as possible unity of action in the place of the present divided authority; but he did not see that the right hon. Baronet would be able to do more in time of peace by the change than was at present done by the inspectors. The Militia and Volunteers would never be required to be called out in the time of peace, and in time of war, then, *ipso facto*, they passed from these generals of Reserve to the complete control of the Commander-in-Chief as any other part of the regular army. There was a rumour abroad—he could not say whether it was correct or not—that Colonel Erskine had been, as it were, superseded; and that that gallant officer, who had been eight years intimately connected with the Volunteers (three or four years under Colonel M'Murdo) had been treated in this matter with scant courtesy by the right hon. Baronet. The change had been made without his knowledge, or any previous consultation with him; and the first notice he received of it was an intimation from the Secretary of State for War of a new appointment of an inferior character, and between £300 or £400 per annum less in amount. He very much doubted whether, in the interest of the corps, it would not have been advisable, if the Secretary of State for War, before making so great a change, would have taken so old an officer into his counsel, more especially as he knew from personal knowledge that Colonel Erskine had some scheme in view for brigading and otherwise re-organizing the force. As regards the Parliamentary Grant, he wished to observe that the deputation who had an interview with the Secretary for War on the subject did not apply *in formâ pauperis.* Neither did they profess to agitate on the question, or desire to come to Parliament to ask for an increased Grant; but it was his conviction that there was danger of the necessary expenses not being covered by the present Grant, and of a very large portion of the force falling away in consequence. It was thought right to make known that danger, leaving the Government and Parliament to decide whether it was necessary to take any steps in the matter. The Secretary of State for War had informed the House that the Government did not consider themselves justified in proposing this year an increase in the Grant; and what he (Lord Elcho) would suggest, was that the present state of the Volunteer corps with that of our Reserves in general, should form the subject of inquiry under a Royal Commission, and he intended to bring the subject before the House after the Easter Recess.

SIR EDWARD COLEBROOKE said, he should not then consider whether the whole question of our Reserve force should be referred to a Royal Commission; but it would be very desirable to make the grievance of the Volunteer corps the subject of such an inquiry. The difference between the Volunteer and Militia forces was such that the inquiry into one ought to be to a certain degree independent of the other. He hoped, therefore, that the Secretary of State for War would not consider himself precluded by the answer he gave the other day, from allowing this question to undergo a strict inquiry. The time had arrived when the inquiry of 1862 ought to be resumed, because at that time the Volunteer force was so young that it was impossible to test the amount of expenditure that would be required by the officers and men in keeping up the force, and how far the Parliamentary Grant then proposed would meet it. He had received a memorial from 8,000 Volunteers in Scotland for presentation to the Secretary of State for War; but he had not presented it, because they were willing that their claims should merge into those of the general body. Many of the corps were now in a position which made it very uncertain whether they would be able, in consequence of the difficulty they experienced in obtaining officers, to keep up their efficiency. No doubt there were many officers who, by the same public spirit as led them to engage in the service, would be prevented backing out of it when they found the obligations falling on them rather too severely. Therefore they had a strong claim on the Government; and he hoped the House would not allow the matter to be settled by the declaration that, as long as the Volunteer force kept up their numbers, there was no occasion for any additional Grant.

Mr. ACLAND hoped that the Secretary for War would give the House a fuller explanation than had as yet been afforded, respecting the scheme for the organization of the Reserved forces. He hoped the right hon. Baronet would state his views clearly and fully on that subject. His impression of what the Secretary of State said on a former occasion was that he had found it expedient for administrative purposes to concentrate certain offices in the hands of one general officer; and that he quoted a letter from the general commanding the forces in the North, to show that certain inconvenience arose from the present relations between the generals of districts and this auxiliary force. For his own part he must say—and his experience dated from the very commencement of the Volunteer movement—that a good deal of inconvenience now arose from the undefined relations between commanding officers of Volunteers, Volunteer associations, who endeavour not very successfully to provide the corps with locomotion, the assistant inspector, and the general of the district. It was quite true that, under the Act of Parliament, there was a line that might be drawn, which did clearly define their respective duties. But he could give very strong instances to show that great inconvenience did arise from this source. He had had to deal with three successive generals at Plymouth; and if there was one thing more than another that characterized them it was their extreme unwillingness to assume authority over the Volunteers, or do anything to complicate relations with their officers. Many things were now done by a kind of tacit understanding between the parties, which it would be better to put upon a certain footing. But these things required to be looked into, and it was possible the difficulties might be got over. After the reference which had been made by the noble Lord (Lord Elcho) to the case of an individual officer, whom he felt pride in calling his personal friend, he must be allowed to say that he hoped the right hon. Baronet would be able to show that Colonel Erskine had been treated in this matter with proper courtesy. He had heard nothing from Colonel Erskine; but the report alluded to by the noble Lord certainly was widely current, and he must say, if it should turn out that a Minister occupying the high position of the right hon. Baronet had treated Colonel Erskine with any want of courtesy, there never was an officer whose character and services less deserved such treatment. He believed there was no individual in the country to whom the whole Volunteer force owed so much as to Colonel Erskine. He did not know whether it would be better that the whole force should be under one general, or under respective inspectors; but if Colonel Erskine had incurred a loss of income to the extent of some £400 a year, and if, instead of being promoted, he had been placed in an inferior position, he hoped the right hon. Baronet would at least be able to show that he had made an economical arrangement, which, from present information, he very much doubted. It would be premature to express any opinion with regard to the proposal of the noble Lord for a Royal Commission to inquire into the state of the Reserve force generally; but, as colonel of an administrative battalion, he was able to state on the authority of his adjutant, that the ten corps under his command were in a good state of equipment, and if they had not a balance in hand they had not anticipated their future resources. Many of the gentlemen who commanded them had acted liberally, and he believed that the Volunteer force was most effective when it had partly relied on local pecuniary support. A relation of his, out of the ordinary resources, had been able to give his men great coats, and another captain had supplied his men with capes out of the ordinary resources of the regiment. The country corps were at present allowed *5s.* per head for battalion drill, but none was made to the town corps; and, in that respect, he thought a change ought to be made, and some such allowance given to the town corps to go to the butts and qualify for the position of extra proficients. But he did not think that for equipment and the ordinary expenses of the corps it was necessary to raise the allowance. The Volunteers had been a good deal petted by public confidence, and care must be taken lest people should begin to think that they were making themselves too expensive. He thought it very desirable that they should, if possible, increase their efficiency and discipline before asking for much more money. If they could not obtain money for brigade meetings he hoped the case would be considered before another year. But still he had great doubt as to the expediency of an indiscriminate increase of the Capitation allowance to any very large extent.

MR. DILLWYN said, he was of opinion that unless some aid was afforded to the Volunteers they could not be kept at their present state of efficiency. The legitimate expenses of the Volunteer corps very much exceeded the amount they received from the Capitation Grant, and the commanding officers of regiments had generally a considerable amount to pay out of their own pockets. Even with the increased sum which was asked from the Government, he (Mr. Dillwyn) knew that he would still have to put his hand in his pocket, though not to the same extent. It was in fact a question, whether the Volunteer force was to be maintained on an efficient footing.

SIR ROBERT ANSTRUTHER observed that the Secretary of State for War had informed the House the other night that it would be impossible to increase the Grant as a whole; but the Government should recollect that the object was not to increase the numbers of the force so much as to render the force efficient. For this end no arrangement was likely to be so serviceable as keeping them in the field with regular troops, and it would be worth while to allow them a field allowance for this purpose.

SIR GEORGE BOWYER said, he thought that the time had arrived when no antique jealousy of the Crown should be allowed to interfere with the efficiency of either the Volunteers or the Militia. He understood the Secretary for War to propose that the Militia and the Volunteers should be under the command of one general officer; but he should suggest that both forces should be under the command of the general officer commanding the particular district. In the event of war, the Volunteers and the Militia must be brought into the general military organization of the country, and they must, in that case, be placed under the command of the officers commanding the various districts; and if they were now to be placed under separate command and kept distinct from the rest of the army great difficulties would be incurred in effecting the change at the time of the breaking out of war. By putting the Volunteers and the Militia under the command of the generals of districts those forces would be brought into more perfect union with the regular military service of the country, and would render them more like soldiers than they were at present, while it would greatly increase their general efficiency.

SIR JOHN PAKINGTON said, he not only could have no objection to what had been said by his hon. Friend behind him, but he could not dissent from a word he had heard on the subject, with the exception only of what fell from the hon. and gallant Member for Abingdon (Colonel C. H. Lindsay), who went so far as to state his opinion that, because the Government had declined to accede to the propositions which had been made to them, they were indifferent to the success of the Volunteers. He was anxious to say that there was no foundation whatever for such an assertion. As far as he was personally concerned, he could only express his regret that the hon. Member should have made a statement in support of which he could give no good reason. Those who were members of that most important deputation, and those who heard his statement on Monday night could not accuse him of having giving utterance to any remark that would justify such an accusation being brought against him. In his opinion the Volunteer movement was a very noble one, and he appreciated most highly the value of the fine body of men it had placed at the service of the country. His Colleagues entirely concurred with him in looking upon the movement as the most striking and successful one that had taken place in any country in Europe for a long time. From the time of its commencement it had had a great effect upon the Continent; and it was a proof of the power of this country that it had been able almost in a moment to produce a defensive force of such great strength and efficiency. Under these circumstances it was clear that he could have had no intention to under-rate the importance of the Volunteer force. Her Majesty's Government had, however, to consider whether they could, consistently with their duty, accede to the request of the Volunteer officers for an increased Capitation Grant. He stated to that deputation that, so far as he had been able to form an opinion, the question was one that varied in different localities, and that if there were many places where an additional Grant would be convenient to the officers there were other places not thus situated. On Monday night he stated what were the facts and what was the reason why the Government could not, at this moment, grant the increase of the Volunteer expenses which they had asked. An hon. Member had spoken of the smallness of the increase asked for, and said it was a thousand pities that the Government had not increased the Grant. But the money was not small. The expense of the Volunteer movement, whatever might be its value, was £385,000 a year. Add £185,000 to the expenses, and, whatever might be his personal feeling to the Volunteer force, his belief was this, that if he had come down to the House and asked for an increased Vote of £185,000, numbers of Gentlemen opposite would have started up to ask upon what grounds he made such a proposal. He would have been asked whether the Volunteers were falling off in number; whether they were increasing their efficiency; and whether it was impossible that the movement could be supported by the allowance already made to them? He must remind the House that there had been a considerable change in the nature of the Volunteer movement since its commencement. The Volunteer force was originally intended to be a self-supporting force, and that it should consist of a class of men every one of whom should provide himself with uniform, and should pay his own expenses. He thought that, as far as the defence of the country was concerned, the Volunteer movement was worth all the money that it had cost us, and that it would be only advisable to give any moderately additional assistance which could really be shown to be necessary. His hon. Friend the Member for Devonshire (Mr. Acland) had referred, as he presumed, to the increase in the allowance which he had proposed in order to enable members of administrative battalions in the country to meet together for the purposes of battalion drill.

Mr. ACLAND said, he intended to refer to the Grant made for that object, and he had suggested that money should be granted for the purpose of enabling battalions to take part in brigade field days.

Sir JOHN PAKINGTON said, he had proposed that increase because he thought that the case was one in which it might reasonably be given; and he should be ready to give his consideration to any case in which it was thought that a similar course might be attended with advantage. He would now turn to another matter, and he trusted that the hon. and learned Gentleman the Member for the Tower Hamlets (Mr. Ayrton) would not impute to him any disrespect when he stated that the hon. Gentleman had entirely mistaken what he had said on a former occasion. The hon. Gentleman had said that he had referred to his speech. The hon. Gentleman had in that case done more than he himself had done; but, whatever report the hon. Gentleman had consulted, he could only say that he was misinformed when he stated that it was his intention to place the Volunteers and the Militia under the general officers commanding in districts. He had not the slightest idea of doing anything of the kind. His hon. Friend the Member for Devonshire had rightly interpreted his intentions, which, however, appear to have been misunderstood by several hon. Members. Hitherto the Volunteers and the Militia had been placed under the command of three different persons. The Volunteers had been commanded—or rather, placed under the supervision of an officer of the rank of a colonel or lieutenant-colonel. The Militia were also placed under the superintendence and charge of an officer of the rank of a colonel or lieutenant-colonel; and the Army of Reserve were similarly commanded. His belief was, that it would be better to place these bodies under the direction of one instead of three distinct officers, and that that officer should possess a higher rank than that of colonel or lieutenant colonel. He had therefore placed these bodies under the supervision of a general officer of high rank; but he had not intended to carry the change any further, or to alter the relative authority of the commanders of the different corps, or their relations to the civil power. Under the new arrangement, the Secretary of State would be able so to improve the organization that the local authority would not, as hitherto, be deprived of the assistance of these forces in case of need. He would now turn to the remarks which his noble Friend the Member for Haddingtonshire (Lord Elcho) and his hon. Friend the Member for Devonshire (Mr. Acland) had made with regard to Colonel Erskine; and he regretted that he should be accused of a discourtesy, which he trusted was entirely alien to his nature or his character. His noble Friend had alluded to a circumstance which was the result of an accident—a mistake which was corrected and explained fully and frankly to Colonel Erskine himself, and he trusted, therefore, that he should not hear of it again. It had also been stated by the noble Lord that Colonel Erskine, on being deprived of his position in connection with the Volunteers, had been placed in the same position as the one which he had previously held.

LORD ELCHO said, he did not consider it a promotion; because, whereas Colonel M'Murdo had been promoted to the office of Inspector General of Volunteers, Colonel Erskine was only placed in the same position as that which Colonel M'Murdo previously occupied.

SIR JOHN PAKINGTON said, that his desire had been throughout to treat Colonel Erskine with the greatest possible fairness and consideration, and it was in that spirit that he was led to offer Colonel Erskine the command of the Military Train, which had been rendered vacant by the lamented death of Colonel Kennedy, who had fallen a victim to the exertions in connection with the Abyssinian war. He had been sorry to hear the hon. Member for Devonshire say that he had fined Colonel Erskine £400 a year. He did not know what the difference was between the value of the two appointments. [MR. ACLAND said, that the effect of the change was to decrease Colonel Erskine's income between £300 and £400 a year.] Whatever it was, it was only a matter of two years; for at the end of that time Colonel Erskine's command as Inspector-General of Volunteers would have come to a termination. He believed, however, that he had appointed Colonel Erskine to a superior position; and if anything should occur to interfere with the permanence of the present arrangement, it would of course be their duty to make some provision for its effects as far as Colonel Erskine was concerned. He had not proposed the new arrangement with any special view to economy; but its results would be to produce a slight reduction of expense. The hon. Member for Lanarkshire (Sir Edward Colebrooke) had suggested an inquiry into the present state of the Volunteer force; but it was not necessary for him then to enter into that question, because the noble Lord the Member for Haddingtonshire had given notice of his intention to bring forward the same subject, though in a larger form, and when the noble Lord did so he should, for his own part, be prepared to give his best attention to the matter.

MR. ACLAND explained that, in the remarks that he had made, he had spoken not for the Volunteers generally, but only for his own battalion.

LORD ELCHO felt very strongly that it was not desirable it should go forth in any way to the public that the Volunteer commanding officers came to the House of Commons asking for money *in formâ pauperis.* He protested against any such impression getting abroad, as it was possible it might do, when the hon. Member for Devonshire (Mr. Acland) said it was very likely that some officers might want more money to spend. They had heard a good deal about Government by minorities. Well, it looked to him very much as if on that question of the Volunteer force they were carrying on Government by a minority, because his hon. Friend who had spoken represented a small minority of that force. Both last year and this year every means had been taken to ascertain the real opinion of the force on that point, and he now ventured to say, speaking not as an individual or in the name of the London commanding officers only, but speaking advisedly in the name of the Volunteer force in general, that their deliberate opinion was that that force could not be maintained at its present strength with the present Capitation Grant. A commanding officer was sitting near him who spent a large sum annually upon his corps; and another Gentleman, also a Member of that House, informed him that his regiment cost him £200 or £300 a year. Their point was this, that in their opinion it was requisite to call the attention of the Secretary of State for War to the fact that the necessary expenses of Volunteer corps were not covered by the Parliamentary

Grant, which had to be largely supplemented by the subscriptions of the officers and men, and also, at the same time, to express the strong feeling which they believed to pervade the Volunteer force that those who freely and without pay gave their services to the State should be relieved from the necessity of incurring such personal expenditure. His right hon. Friend said the original intention of the force was that every man was to bear his own expenses. That might have been the theory; but in practice it could not be carried out, and a Commission in 1862 recommended Parliament to give the Volunteer corps a Capitation Grant of £1. It was proved before that Commission that two-thirds of the force were composed of artizans and men of the labouring class. Therefore, if they wished to keep up that force, and to relieve the officers from the unfair expenditure to which they were now put, Parliament must, sooner or later, be prepared to increase the Grant. But he might state that the officers had made up their minds to do nothing further—never to send another deputation to the War Office—never to make another appeal in that House; that having now finally laid their claims before the House and the country, they left it to the Government to say what steps they would take to recognize them. If it could be shown that the existence of the force depended upon whether 20*s.*, 30*s.*, or 40*s.* was sufficient, he believed, in opposition to his hon. Friend, that the country would deem that a sufficient ground for an inquiry. At any rate, in 1862, it was deemed sufficient ground for an inquiry. But he did not propose that the inquiry should be limited to so small a point as that; but that it should be full and complete, embracing our whole system of military organization, with reference to its capabilities for expansion in time of war and for home defence. That was the question which he intended to bring before the House after Easter, and the incidental point now raised might fairly form part of the inquiry.

Sir T. F. BUXTON said, he thought it was desirable to have a wider range of selection for the commanders of Volunteer corps than they had at present. At present the class was extremely limited, because the commanding officer must not only have some knowledge of military matters, but he must be able from his own means to keep a horse, and to be prepared to spend from £300 to £600 a year upon his regiment. He thought this limitation was a very serious one, and one that ought to be abolished.

Mr. DARBY GRIFFITH said, he believed that, under ordinary circumstances, the House would be disposed cheerfully to vote any reasonable amount that might be requisite for the Volunteer force; but he thought it might be preferable to give them the clothing, and leave the Capitation Grant as it stood.

Vote *agreed to.*

(9.) 39,600, Enrolled Pensioners and Army Reserve Force.

Sir WILLIAM GALLWEY wished to know, when the instructions relative to the Army Reserve and to the Militia Reserve would be issued; as it was very important that they should be issued before the Militia were called out.

The Marquess of HARTINGTON said, perhaps the right hon. Gentleman would take this opportunity to tell them what had been done, up to the present time, with the Army Reserve; and, whether anything had been done, or was presumed to be done, with regard to the Militia Reserve. Last year the right hon. Gentleman took a Vote of £30,000 for Volunteers in the Militia engaging to serve in a Militia Reserve Force, and £20,000 for men volunteering by commutation of service for enrolment in the Army Reserve Force. They had heard a great deal last year of these Reserve forces; but he could not hear that anything had been done.

Sir JOHN PAKINGTON said, the noble Lord referred to this question on Monday last, and had charged him with having made no reference to this subject in his general Statement. The noble Lord was mistaken. He stated then—what he was prepared to repeat now—that one very important step had been taken, and that in accordance with the plan of the right hon. Member for Huntingdon (General Peel), the Government had decided that the entire corps of the Militia should be raised up to its increased quota—half the battalions in the present year and the other half next year. Last year, before the change was decided on, the Militia regiments were 5,000 below the strength of their reduced quota. But when the order was given to raise the regiments to their full quota recruiting commenced, and was so successfully carried on, that, instead of the force being 5,000 below the reduced quota, it was now only 2,300 below the increased quota for the present year. With regard to the issue of the regulations to which the hon. Baronet had referred, the only reason why they had not been laid upon the table of the House was that before doing so he wished to have the opinion of General Lindsay respecting them, as he would have so large a share in carrying them into effect. The men were allowed to commute a portion of their army service for service in the Reserve; and the Vote of £7,000 for the probable number of men who would engage under the Army Reserve Act, 1867, was intended to cover the expense of whatever men they were able to obtain. But General Lindsay would enter upon his duties in a few days, and the regulations would be laid on the table of the House immediately after Easter. The noble Lord did not appear to be sanguine, and he could not say that he was sanguine either, as to the success of the scheme of a Reserve force.

The Marquess of HARTINGTON said, it seemed to him that the original intention of the Government on that subject had not been carried out. It was the intention of the right hon. Gentleman to commence the formation of the two forces last year; but he gathered from his statement that not a single man had yet joined either the Militia Reserve force or the Army Reserve force.

Sir JOHN PAKINGTON said, that the first step he had taken to carry out the Act was to increase the number of the Militia.

Vote *agreed to.*

(10.) Motion made, and Question proposed,

"That a sum, not exceeding £768,400, be granted to Her Majesty (in addition to the sum of £200,000 already voted on account), towards defraying the Charge of Superintending Establishment of, and Expenditure for, Works, Buildings, and Repairs, at Home and Abroad, which will come in course of payment from the 1st day of April 1868 to the 31st day of March 1869, inclusive."

Sir JOHN PAKINGTON said, that certain charges for police, &c., were transferred from Votes 3 and 12 to this Vote, and they swelled the Vote in appearance, although the sum asked for was not greater in reality. The Vote included a proposal to spend £20,000 upon hospitals for contagious diseases.

Major ANSON called attention to the increase that had taken place in the establishment charges. In 1863 these charges amounted to £78,000, and they had risen to the present charge of £100,544. In 1859-60 we did work amounting to £1,455,000, and the establishment charges for that year were only £56,526. In 1860 we did work to the amount of £1,752,000, and the establishment charges were £62,500. This year the Estimates for work to be done amount to £867,000, yet the establishment charges exceed £100,000. That seemed to him a most unnecessary increase, and he hoped that some explanation would be given. From a comparison of Returns which had been obtained in the years 1857 and 1867 respectively, he found that there had been a decrease in the barrack accommodation to the extent of accommodation for 2,000 men. Yet, in the intervening ten years, we had spent in brick and mortar, in one way or another, no less than £9,583,000. Naturally, one would have imagined that the barrack expenditure in colonial and tropical climates would have been very heavy compared with the outlay at home. But he found that we had spent during that period four times as much upon barracks at home as we had done in the colonies. With regard, again, to married soldiers' quarters: it was proposed now to devote no less a sum than £935,000 towards that object, in addition to £240,000 already voted; but it seemed that it had taken no less than ten years to spend that sum of £240,000; instead of providing, as seemed the natural course, whatever accommodation was required for married soldiers at once. At the same rate of expenditure it would take twenty-two years to expend this Vote of £935,000 upon the housing of married soldiers; and it seemed doubtful whether the expenditure was necessary when they could spread it over thirty years — at all events the House ought to be informed in this and every other case what increase of accommodation is secured for the money spent.

Mr. CHILDERS called attention to what, he said, formed a serious departure from the usual mode of stating some of the items of the present Vote. In the case of any Vote proposed for the first time and involving further liability, it was usual to set out in the first column of the Estimates the total amount which the Department had it in contemplation to expend upon that particular object. And having dealt thus frankly with the House, the Government were able to come down in any subsequent year, when a further instalment of the money was asked for and objected to, and say that, to some extent, an implied sanction has been given by the House to the total expenditure when the matter was originally broached in the Estimates. This year, however, items, which last year gave no indication of being parts of a great whole, were stated in the Estimates as forming part of a total estimated outlay of £1,416,000, of which part had been voted in previous years. This would throw anyone off his guard, and was a very improper way of stating the items. Again, with regard to the two items of £75,000 each, for alterations to works for a revised armament in the principal sea batteries at Gibraltar and Malta, he thought it should have been stated that these sums were in excess of the original Estimate of £470,000, whereas he found no reference to past expenditure under this head. As to the proposed expenditure for additional barrack accommodation at Chelsea, such accommodation was probably wanted; but an explanation should have been given on the subject. The expenditure at Woolwich of £70,000 for storehouses for miscellaneous stores from the Tower he held to be perfectly unnecessary; for abundant accommodation might be placed at the disposal of the War Office by the Admiralty, as the abandonment of Deptford dockyard was contemplated. He did not know whether the Vote of £3,000 now proposed would pledge the Committee to the expenditure of the remaining £67,000.

Lord ELCHO, calling attention to the charges attending the camp at Aldershot, urged the desirability of adopting the recommendation of the Royal Commission by dispensing with a permanent encampment. The buildings were liable to constant expenditure for repairs, and it gave great dissatisfaction, both to officers and men, to be kept in camp during the winter. It would be much better to keep the troops in barracks in different parts of the country, and march them to these places temporarily, keeping them under canvas there. It was also desirable that as many officers or generals as possible should have the opportunity of commanding large bodies of troops, and such appointments should therefore be made yearly, instead of only once in five years.

Colonel SYKES called attention to the charge for the surveyor, deputy surveyors, &c., of the Royal Engineers. He objected to an increasing establishment as an insidious thing which they could not get rid of. He remarked that while there was a decrease in one Department of the least paid officials from twenty-seven to twenty-two, there was an increase of the higher paid from twenty-nine to thirty-two. He called attention to the increase, not only of the clerks, but of military foremen, and asked why it had taken place. He hoped the right hon. Baronet would, at his earliest convenience, give some explanation of the increase in the establishment to which he referred.

Captain VIVIAN wished to say a few words about the camp at Aldershot. He had the honour of sitting in the House when the camp was first projected, and he then raised his voice against it. They had been told, with great truth, that one of the causes of the great losses which our troops suffered in the first Crimean campaign was that they did not know how to kill their meat, to forage, or to perform the other duties incident to the position in which they were placed; and the French troops had a great advantage over them because they had been instructed in routine field work. It was proposed, therefore, to form a camp at Aldershot to give a training to our soldiers, and that was all very well. But in a short time those large barracks were built at immense outlay. He would venture to say that it would have been infinitely better to have spent the money on improving the various barracks in London, some of which were a disgrace to the army. Aldershot, instead of being a camp, was now a large military town, and a military town of the worst description, and was extremely unpopular among the men. When a soldier came home from foreign service, instead of being allowed to go into country quarters or to see his friends, he was sent to Aldershot. He hoped that Aldershot would not be so much used as a winter quarter for the future. It might be available, however, in the summer months. He quite agreed with what had been said by his hon. Friend about the change made in the Estimates. It was a dangerous change. Close upon £40,000 had been spent, and spent wisely, on the establishment at Pimlico, and a large yearly rent was now paid for it. There was no doubt that there would be ample room for all the Woolwich stores in Pimlico.

Mr. OTWAY said, that whenever he attempted to cut down a Vote for works he was always told that the works were in progress, and that it would be impossible to make any reduction. Last year, when a new item crept into those Estimates, he and his Friends thought they should make an effort to reduce the Vote; but when they went to a division, they were, of course, beaten, the House being always in much the same condition when they were voting away millions, and there being always a number of Members ready to rush in from the gastronomical Department to support the Minister. In this Vote 14 there were some most objectionable items. The other evening they had a debate as to the military cost of the colonies; but the Vote taken on that occasion by no means represented the whole cost, because in this Vote would be found very large items with reference to those very colonies. For instance, it was proposed to spend £202,000 for the defence of the Mauritius. He doubted whether anyone was ever going to attack the Mauritius; but, in any case, the money would be only thrown away. It was utterly impossible to defend that island by any such expenditure, and by retaining in it two battalions of troops. Mauritius, if to be defended, must be defended by sea, and to spend so much money upon works there was to throw a great burden upon the taxpayers of this country. The whole of the columns of the Estimate book contained similar extravagant charges; and he could wish that some gentleman of military position, like his hon. and gallant Friend the Member for Lichfield (Major Anson), would take the sense of the Committee upon it. That would be the only way to prevent such an outlay in future. He had no hesitation in saying that a great portion of the expenditure upon barracks and works was caused by the erroneous system that was pursued. There was no man in the House that had a greater respect for the Engineers than he (Mr. Otway) had; he looked upon them as an unsurpassed corps, but they were the most expensive and extravagant set of men in dealing with public works that could possibly be found. They were greedy, not of money, but of work; they tried to monopolize everything, and the consequence was that the country was put to vast expense for repairs which it would be spared under a different system. Let the Committee conceive the idea of an officer in a barrack who had the lock of his door out of repair. Before he got it repaired he had to apply to an Engineer officer, who had to speak to the contractor; and it could not be put to rights without the contractor's permission, or by any man not employed under the Engineer. The colonel of a regiment was intrusted with the happiness not alone of the 600 or 800 men whom he commanded, but of their wives and children, and yet he could not be intrusted with the ordering of a lock out of repair to be set right. They had all heard of the story about the bellows; but there was a similar story about a pump, concerning which a correspondence had been going on for years, and was, he believed, still going on. He had asked the commander of a foreign regiment if a pump was out of order what he would do, and he said he would of course direct that it should be mended. When asked by whom? he answered, "By my soldiers." And when the case was put—"Suppose there were no soldiers that could do it," he seemed to think that an absurd supposition, because a regiment contained artificers of every class; but he replied he would order a proper workman to go and do it. Now what he wanted to impress upon the right hon. Gentleman was the necessity for a greater employment of military labour. If the right hon. Gentleman would consult the most distinguished Engineer officer this country had possessed for many years, Field-Marshal Sir John Burgoyne, he would find that a great economy might be effected by the employment of military labour. He was told that the experiment was now being tried in the Isle of Wight. All that was wanted was to develope the system, and he ventured to say that a very large reduction would soon be made under the head of barrack repairs.

Mr. Alderman LUSK said, that soldiers really required something to do. The other day a deserter was brought before him when sitting as a magistrate, and he said to the prisoner, "You are an intelligent young man—why did you leave the army?" The answer was, that he hated the army—that there was nothing but drill, drill, everlasting drill, day after day, and that it was perfectly intolerable.

Sir HARRY VERNEY was of opinion that nothing tended so much to make the army unpopular as Aldershot. It would be very well to send men to encamp there occasionally; but to condemn them to winter quarters in those vile huts had a very mischievous effect.

Colonel NORTH concurred with the hon. Baronet as to the effect of Aldershot as winter quarters. He could not expect men returning from twelve or fifteen years of foreign service to like being sent to

Aldershot or the Curragh. It was a mistake, however, to suppose that soldiers had nothing to do in connection with their military drill, and that they had much time at their disposal for the work which had been alluded to.

MAJOR ANSON asked for some explanation of the item of £10,000 for old forges and shops.

MR. ALDERMAN LUSK inquired how much it was proposed to spend on military billiard-rooms this year? [An hon. MEMBER: £3,000.] If that is so, I shall move an Amendment to it.

SIR JOHN PAKINGTON said, there had been a great many inquiries and criticisms on this Vote; but he could not help expressing his sense of the courtesy with which they had been made. As to the remarks of his hon. and gallant Friend the Member for Lichfield (Major Anson) and the hon. and gallant Gentleman the Member for Aberdeen (Colonel Sykes) on the establishment charges, he had to say that the increase to which they referred was to be attributed to the transfer to that Vote of charges previously made in other Votes. With respect to what his hon. and gallant Friend had said on the great expense for barracks as compared with the accommodation afforded, this was the result of the anxiety manifested by the House for the health and comfort of the soldiers. Under existing regulations one-third more cubic space was provided for the soldier than had been hitherto afforded to him. He believed that this was a very great improvement; but the House would at once see that one of its consequences must be that the expense, as compared with the actual accommodation of a given number of troops, must be greater than it had formerly been. His hon. and gallant Friend had complained that the War Department was not proceeding as rapidly as it ought to do with the married soldiers' quarters. This showed how careful they had to be in preparing these Estimates. On the one hand, they were liable to be accused of extravagance; and on the other, they were open to attacks for not doing this and not doing that. He was as conscious as his hon. and gallant Friend of the importance, for the propriety and respectability of the army, of providing a sufficiency of married soldiers' quarters as soon as possible. But this was attended with very considerable expense, and therefore it had been thought advisable to proceed gradually. The sum voted this year was £30,000 for this purpose, and he believed that that sum would be asked in succeeding years, although, as far as he was concerned, he was sorry that he could not ask double that sum. He was afraid that they must look forward to even a larger expenditure than that which now existed. With regard to the comments of his hon. Friend the Member for Pontefract (Mr. Childers) on the exceptional form of the Estimates, it would be very presumptuous in him to criticize the decisions of high authorities at the Treasury, of whom, but a short time ago, his hon. Friend was not the least distinguished; and he (Mr. Childers) knew that in these matters the other Departments had to pay some deference to the opinion of the Treasury.

MR. CHILDERS said, he had not objected to the form of the Estimates; but had said that so great a change as had been introduced that year ought to have been noticed.

SIR JOHN PAKINGTON said, he was not the champion of the form in which these Estimates appeared, and admitted that his difficulty in explaining the Estimates was much increased by not bringing the charge of the current year in close juxtaposition with the charge of last year. With regard to the estimated expenses in the last column, he did not at all intend thereby to involve the House in any pledge. He very much doubted whether it did pledge the House; it was intended only as a frank statement of the final cost of the works commenced. As to the charges for Malta and Gibraltar, they were only to defray a particular outlay; and he would not disguise from the Committee that, in all probability, if these two fortresses were to be placed in a proper state of defence, they must look forward to a much larger expenditure than anything entered either in the present Estimates or in those of last year. Another item alluded to by his hon. Friend was the expenditure proposed on account of Chelsea Barracks, and here his hon. Friend was under some misapprehension. It was thought desirable to extend the barrack accommodation at Chelsea, with a view to set free the St. George's Barracks, behind the National Gallery, for a recruiting depôt. In carrying out the new regulations with regard to recruiting, and those improvements in the system which were mentioned in the Commissioners' Report, a good recruiting depôt in London was found indispensable, and the most convenient place was the St. George's Barracks, which would accordingly be appropriated for that purpose, while the Chelsea Barracks would accommodate the Guards heretofore quartered there. Then there was the proposed new store accommodation, and he doubted whether any one charge in all these Estimates was of more pressing necessity than this. Ever since the Crimean War our stores had been huddled together in a ditch at the Tower in the most unseemly, inconvenient, and extravagant way. Hon. Members would recollect the painful alarm that arose some months ago as to the possibility of acts of outrage in London. He did not feel at liberty to disregard the remonstrance, pressed upon him from the highest quarters, lest damage should be done to these stores. They were close to the east angle of the Tower, exposed to injury by fire thrown over the wall; and upon representations made by competent officers whom he had appointed to inspect the Store Department, he ordered the stores to be at once removed. They were very large in quantity and very valuable; and, having no place to put them, he was obliged to distribute them all over the country — a measure not only inconvenient, but costly. Under those circumstances, he arranged for the purchase of a large building on the banks of the Thames, opposite Woolwich, but legal difficulties unfortunately occurred, and he was unable to proceed with the purchase. His hon. Friend said, "Why did you not put them at Deptford?" He was desirous to put them there, and sent to inspect the site. But it was absolutely necessary to have a water access, and the Admiralty would not part with any portion of the yard which had a water access. The only remaining point he had to notice was the reference that had been made to Aldershot. On this point, he (Sir John Pakington) thought there was some misapprehension. He was asked to relieve the soldiers from the inconvenience and annoyance of being quartered there in the winter. Now, the reports which reached him were that regiments returning to this country were far from objecting to Aldershot. For the sake of the soldier and of the country, however, he thought it was desirable that considerable portions of the troops should be sent into barracks in country quarters; and had it not been for the unfortunate outrages which occurred in connection with Fenians, arrangements would have been made with this view. But great expense arose in moving soldiers about the country, and he wished to check the expense of unnecessary marches. He would not therefore venture upon pledges which he might not find convenient, or, perhaps, even agreeable to the soldier, to carry out; and he could only assure the hon. Baronet that he thought the recommendations of the Committee worthy of careful consideration.

Mr. CHILDERS concurred in the wish that the Estimates had been more clearly prepared. He trusted that the Civil Estimates when produced would be found to be arranged, not after the fashion of the Army, but of the Navy Estimates. He wished to say a word about the storehouses at Woolwich. He was far from saying that more store accommodation was not needed at the Tower. But the Admiralty had valuable property at Woolwich and at Deptford suitable for storing purposes; and he did not see why the Admiralty and the War Office might not have referred the matter to the Treasury for settlement. The First Lord of the Admiralty had stated that he would abandon Deptford, and, after a time, Woolwich, as far as shipbuilding was concerned; but Deptford was the best store receiving place in the Kingdom; and it would therefore be a great waste of money to spend £70,000 for new storehouses at Woolwich. He trusted that the Admiralty and the War Office would come to some arrangement in regard to this matter.

Sir JOHN PAKINGTON reminded the hon. Gentleman that he could not prepare these Estimates in reference to an opinion uttered by his right hon. Friend the First Lord of the Admiralty only a few days ago. He should be glad, however, to come if possible to an arrangement with the Admiralty, in which event the proposed expenditure would of course be unnecessary.

Sir HARRY VERNEY remarked that the right hon. Gentleman had adverted to the possibility of sending a portion of the Guards away from the middle of London to a most inconvenient barrack at Chelsea. Two years ago, indeed, the right hon. Gentleman the Member for Hertford (Mr. Cowper) suggested that the barracks behind the National Gallery might, perhaps, be done away with at some future time. On the very night that suggestion was made he chanced to walk from the House to Hyde Park, and there found a mob busily engaged in knocking down the railings. That circumstance plainly showed the impolicy of carrying out the suggestion, as these barracks were of great importance for securing the tranquillity of the metropolis in the event of disturbances breaking out.

Sir JOHN PAKINGTON said, the whole matter had been duly weighed and considered before it was determined to remove the barracks to Chelsea.

Mr. CHILDERS said, he hoped that the sum of £3,000 proposed for the new storehouses would be omitted.

Sir JOHN PAKINGTON assured his hon. Friend that no premature step should be taken; and that he would make inquiries to see whether there could be any arrangement which would render the proposed expenditure unnecessary.

Mr. CHILDERS said, he had intended to move the omission of the item of £3,000; but would not do so if he received an assurance that the matter should be decided by the Treasury.

Sir JOHN PAKINGTON said, he intended that the matter should be referred to the Treasury.

Mr. Alderman LUSK moved to omit from the Vote £3,000 for billiard tables. He did not see that we were bound to provide the officers of the army with billiard tables, any more than we were bound to provide them with card tables, fowling pieces, or horses for fox-hunting. It was also desirable for the sake of the young men themselves that they should not be encouraged to frequent billiard rooms, which were often so full of tobacco smoke that one could hardly see from one side to the other. This created lassitude, and the frequenters of the rooms could not always very well tell what they were about. It was too much to ask the public to find amusement for young men who entered the army. If their wages were too small, let them ask for more.

Motion made, and Question proposed,

"That the Item of £3,000, for Billiard Rooms in Barracks, be omitted from the proposed Vote." —(*Mr. Lusk.*)

Sir JOHN PAKINGTON remarked that the worthy Alderman had fought this battle of the billiard board last year with great gallantry, and had been defeated. The item for billiard tables was inserted last year for the first time by the right hon. and gallant Member for Huntingdon (General Peel) and the worthy Alderman could hardly have forgotten the grounds on which the Committee allowed it. The Committee was influenced by these two considerations—first, that the officers' pay was very small, compared with the position they occupied, and secondly, that it was of great importance that officers in the various stations should have every inducement held out to them to engage in innocent recreation and amusement. Upon these considerations the Committee determined, by a considerable majority, to promote their amusement by providing billiard tables. He trusted the Committee would see the force of the arguments adduced last year, and not refuse to grant this Vote.

Mr. CANDLISH said, he should vote with his hon. Friend (Mr. Alderman Lusk) if the Motion were pressed to a division.

Question put,

The Committee *divided*:—Ayes 24; Noes 72: Majority 48.

Original Question put, and *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow.*

Committee to sit again *To-morrow.*

## ELECTION PETITIONS AND CORRUPT PRACTICES AT ELECTIONS (*re-committed*) BILL—[BILL 63.]

(*Mr. Chancellor of the Exchequer, Mr. Secretary Gathorne Hardy, Sir Stafford Northcote.*)

### COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. A. MITCHELL said, he rose to move the Resolution of which he had given Notice. He was sorry that the task of bringing forward this Motion had not been undertaken by some Member of more experience; but, no one else having taken it up, he felt it his absolute duty to do so. He thought local investigations into corrupt practices at elections would be more satisfactory than as they were now conducted. Investigations should be more rapid, and should be made by one who was intimately acquainted with the law — a man of honour, capable of sifting evidence; but, at the same time, he was convinced that the retention by the House of its own jurisdiction and the right of determining who were its Members was essential to its dignity and independence. There was to be no appeal from the Judge who tried the petition. The proceeding of the Judge was to be final, and his order was to be carried into execution. The present Bill proposed to introduce a power between the House and the electors, which had never before been heard of in the history of this country. Before 1770, election petitions were decided by the whole House; but between that date and the year 1828 these petitions were referred to a Committee of fifteen Members. In the beginning of the reign of Her Majesty Queen Victoria great alterations were made, and Bills upon the subject were also passed in 1854 and 1860, the last Act which regulated elections being passed in 1863. In the Bill of last year, which bore the same names upon its back as the present, the most careful provision was made for the protection of the rights and privileges of the House of Commons. The present Bill completely destroyed the privilege of the House of Commons to determine who its own Members were. This was a most miserable and vicious attempt to deal with this question. If he might without presumption suggest a plan by which the object of the Bill could be obtained, he should propose that a Committee of the most important Members of that House — men of the highest position and highest honour — should be appointed to draw up a list of barristers of seven years' standing, one of whom should be sent down to the spot with full powers to conduct the investigation, accompanied by two Members of that House, one from each side, who were to represent that House, and who, on their return, would be able to state whether, in their opinion, the investigation had been full and fair. That Commission should make a Report to the House; and the recommendations in that Report should be carried into effect within a week, if the Report were not objected to by a Member of that House. His plan, if adopted, would preserve the right and privilege of that House to say who were its Members, and would settle controverted elections in the best possible manner. In conclusion, he implored hon. Members to recollect that the privileges of the House had been of old, highly valued by its most important Members; and that, if they assented to the Bill, they would be placing the power of the Crown between the electors and that House.

MR. KINGLAKE seconded the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, while earnestly desiring to provide the best tribunal for the trial of Controverted Elections, to reduce the cost of such trials, and to ensure the detection and punishment of bribery and corruption, is not prepared to assent to any measure which aims at the destruction of its ancient right and privilege to hold in its own hands the power of determining who are its Members, a right which the House has asserted and exercised, to its great advantage, for several hundred years, and upon the possession of which the dignity and independence of this House and the constitutional freedom of the electors greatly depend,"—(*Mr. Alexander Mitchell,*)

—instead thereof.

MR. WHITBREAD said, that having been a Member of the Committee, which last year recommended a Bill something in the nature of that now under the consideration of the House, he wished to be allowed to state some of the reasons which had induced them to come to the conclusions at which they ultimately arrived. Before doing so, however, he must remark that the hon. Member who had just sat down (Mr. A. Mitchell) had, by the terms of his Notice, led the House to believe that he desired that the trial of election petitions should remain as at present; but, on the contrary, when he came to make his speech, he had proposed, as an alternative to the scheme of the Bill, a plan which was open to two or three grave and fatal objections. In the first place, the hon. Gentleman proposed that two Members of that House should accompany a certain set of lawyers, who were to be barristers of seven years' standing, down to the spot from whence the petition emanated to try the election petition. If that proposition were adopted it would often be impossible that the trial of election petitions could be entered upon immediately; because, if the House were not assembled, whence would they get the two Members who were to form a portion of the Commission? In the next place, if the House were sitting, it might place the Members selected to go down to the country in a most inconvenient position as regarded their respective constituents, who would naturally find fault with them if they were absent when grave and important questions were under the consideration of the House. The third objection to the hon. Member's plan was the most fatal of them all. The Grenville Act had been passed for the purpose of getting rid of the horrible system of bringing discussions on election petitions upon the floor of that House; but the hon. Member proposed, in contravention of the spirit of that Act, to bring the Reports of the Commissioners under the cognizance of the House on the Motion of any hon.

Member who might object to decisions at which they had arrived. It would almost appear, from the manner in which this question had been argued both in that House and in the Press, as though their only object was to substitute for the Election Committee another tribunal; but, for his own part, he would not have consented to part, with the power of that House with respect to elections petitions upon that ground alone. The two great objects to be kept in view were to secure an immediate trial; and to secure that the trial should take place on the spot. By trying the case immediately they would get rid of the disgraceful system, which he was given to understand prevailed to a large extent, of pairing off one petition against another, by which the worst cases of corruption were prevented from coming before the public. It was, of course, difficult to procure evidence upon this point; but he was afraid there was but too much truth in the charge. Then, as to the advantages to be derived from a trial upon the spot, most hon. Members had been present during the time that one of those disgraceful scandals—the trial of an election petition—was going on, and one of the worst features of those trials was that frequently answer after answer was given which everyone present knew was untrue. This would not be the case if the evidence were given in the face of those who were fully acquainted with the facts, and at the place where the witness lived. The trial of elections as proposed by the Bill would be surrounded by circumstances similar to those attending ordinary trials by a Judge in open court. The trial of a charge of bribery could not, therefore, fail to be associated in the minds of the people with the trial of other criminal offences; and would, in time, induce the belief that, after all, bribery was a serious offence of which an honest man should be ashamed. It was said, however, that the House was unwilling to part with its jurisdiction. But what was the jurisdiction of the House in that matter at present? He said that the House as a House had no more jurisdiction in the case at present than it would have under the Bill. The House had no voice in the constitution of the Election Committees, and it had not reserved to itself the right of questioning the decisions of those Committees. As Sir Erskine May had accurately said, it was impossible to conceive a Legislative Assembly more strictly bound by a public law over which it had no control, and in carrying out which it had little or no discretion. The moment the House had allowed the General Committee of Elections to be appointed unchallenged it had no more voice in the matter. Another illustration of the erroneous impression existing with regard to the jurisdiction of the House was to be found in the case of a bankrupt Member. If after a year that Member's bankruptcy was not reversed, the House did not think its jurisdiction encroached on because the seat was vacated without a Parliamentary inquiry into the solvency of its Member. All that was wanted in the trial of an election petition was to ascertain a matter of fact—whether A. B. was guilty of tendering a bribe or not. That was not the province of a Legislature, but eminently within the province of a Judge. Some hoped to see bribery die out as constituencies were enlarged; but he had little faith in that prophecy. It was true the smaller constituencies had furnished cases of most flagrant corruption; the obvious reason being that it was easier and cheaper to buy a small constituency than a large one. Others had directed attention to the West, and perhaps an hon. Member experienced in United States elections would furnish the House with trustworthy information on the subject. His belief, however, was that any person in the streets of a United States' city during a closely contested election would soon be asked whether he had voted, and, if not, would be informed that a sumptuous breakfast and a ten dollar bill were at his disposal in a neighbouring house. Still, it could not be denied the changes proposed by the Bill were very great, and it too often hapened that it was only when a change had been made that the wisdom of the original practice was discovered. But, notwithstanding this, the House should inquire under what circumstances the Bill had come before it. Two years ago the table of the House was laden with petitions, and, from time to time, hon. Members had received the records of the disclosures to which those petitions led. Another General Election was impending, and if some such Bill as the present were not passed a repetition of these unwelcome proceedings must necessarily follow. He therefore contended that some change was demanded by the necessities of the times; and, in his opinion, the changes proposed by the Bill were one and all sound in principle. He would have been unwilling to refer the trial of election petitions to any tribunal which had not the full confidence of the country; but the scheme of the Bill left no room for criticism on this head. The new franchises conferred by the Act of last year, if used honestly, would be a source of strength to the House; but, if they became wares to be bought and sold, they would undoubtedly be a source of great weakness. If corruption entered largely into the composition of the next Parliament the money-elected would find that it was one thing to buy the suffrages of the people, but quite another to secure their confidence. Such a Parliament might well and fairly represent the heaped-up wealth of the country; but it would fail to feel the pulse which stir those working millions who go to make the real life-blood of the nation.

Sir GEORGE BOWYER said, he feared some misapprehension existed regarding the constitutional question involved in the Bill. It seemed to be assumed that the jurisdiction of the House of Commons over its election petitions was a part of the ancient Constitution, and of the liberties of Parliament; but it could be traced back no earlier than Elizabeth's time, and originated in an anomalous usurpation by the House of Commons contrary to the common law of the country; though probably it was necessary, considering the influence of the Crown at that time, that Parliament should vindicate its right to say who should and who should not sit in the House. No such vindication, however, was necessary in these days. What, then, was the common law on the subject? Before that usurpation to which he referred, the common law was that a return to a writ, if triable, had to be invariably contested in the Court from which it had issued, and to which it returned. The writ for the election of Members of Parliament issued from the Court of Chancery; and the return was still made to that Court, and no Member could take his seat until the return had been so made. If questioned, the validity of the return was tried in the Courts of Law; if impeached by a demurrer, it was tried in the Court of Chancery, sitting as a Court of Common Law; if impeached by a traverse, the Lord Chancellor delivered the record into the hands of the officers of the Court of Queen's Bench, and the trial was made by that Court and a jury. This was the more worthy of remark because the Judges had lately declared themselves incompetent to decide any election questions; whereas, by the common law of the country, the Judges were bound to decide such matters when they rested upon questions of fact. In cases of bribery, the Lord Chancellor, not being able to decide questions of fact, would in former times send the traverse to the Queen's Bench as a matter of course, and then it would be tried. So that it would appear that by the ancient common law every question of fact with regard to the validity of the return to the writ for the election of Members of Parliament was triable by the Judges with a jury, and not by the House of Commons, and that, when the validity of the election depended upon a question of law, it was decided by the Chancellor without a jury, sitting as a Judge at common law on the Common Law side of the Court of Chancery. So if the election of a Coroner, under the writ *De Coronatore eligendo*, or a Verderer, were impeached questions of law were decided by the Chancellor sitting on the Common Law side in Chancery, while questions of fact were triable by the Judges with a jury in the Court of Queen's Bench. The present anomalous power of the House of Commons had been assumed for political reasons; and he did not think that the House of Commons, in abandoning this jurisdiction, could fairly be charged with sacrificing any portion of its independence, especially when they remembered the great power which the House of Commons possessed and the diminished importance of the Royal Prerogative. Though he approved, however, the principles on which this Bill was founded, he doubted whether the mode selected was the one best calculated to carry out the objects which they had in view. He understood the Bill to provide that two Judges should be drafted from the Superior Courts, to decide upon this question of contested elections; but he much doubted whether they would be able to determine all the questions that would be raised after a General Election, while, at other times, they would have little more than sinecure appointments. He would recommend, instead of this proposal, that power be given to the Crown to issue a Special Commission whenever elections were to be decided upon—a plan by which the services of the most competent persons could be secured; while, when no election inquiries were pending, they would not have officials receiving salaries without rendering any services in return.

Mr. BERKELEY said, this was a Bill which had come down to the House by lineal descent. A measure of this kind was first introduced during Lord Aberdeen's tenure of office after an election of more than usual vicious character, from a conviction that the electoral system might very well be altered for the better. The Earl of Aberdeen, however, shrunk from adopting the only remedy—the ballot—and the Bill was referred to a Committee composed principally of lawyers, and they as usual made a mess of it. The measure which that Committee brought forward was analysed by the late Mr. Coppock, in *The Times*, who concluded by saying, "When the House of Commons passes such a Bill as this, we all know what it means," and the Editor endorsed Mr. Coppock's opinion by this just remark: "This Bill is a pompous profession meant to be inoperative." The Bill found favour with the House because it contained one or two good clauses—such as doing away with bands and colours at elections. Every Member had felt the inconvenience and expense of such things, and so they passed the Bill. The result, howeve,, was, that the measure was found to be inoperative—nay, positively mischievous. It was, in fact, an Act passed to protect the candidates, and to punish the least guilty parties. The clauses against intimidation were a perfect farce; and those against bribery laid hold of the poor man, whilst the candidate passed by unscathed. The measure, however, died a natural death, and they then came before Parliament again for its renewal, but without the true remedy—the ballot. When the Bill went to the other House, Lord Derby gave it his parting blessing, and said that it was not worth more than so much waste paper. With that recommendation, however, it went to the country, when again, it was found inoperative, and to be, in fact, no more than so much waste paper. The First Lord of the Treasury had reproduced that Bill with a still more objectionable clause, and which proposed to give them a complete leap in the dark at the cost of £10,000 per year. The Committees of that House had not failed in their duty; the failure is in the law they are armed with. They might have passed candidate after candidate who had been guilty of bribery; but, with such a law for their guide, they could not find them guilty The Government did not attempt to deal with corruption or intimidation; but they passed a law to punish some wretched tailor or shoemaker who accepted £10, whilst they turned their back upon the candidate from whom the £10 came. It had been throughout a mere tub for the whale, and they evaded the great and broad question of giving protection to the voter by the means of the ballot. Nothing but that would protect the voter, and cause purity of election. It was coming to that; but, according to the trick of the times and the fashion of the day, it would appear in that House as a Conservative measure.

Sir STAFFORD NORTHCOTE said, he thought that what the hon. Gentleman who spoke last had said made, to a considerable extent, a case for the introduction of that Bill. He perfectly agreed with the hon. Gentleman that since the recent changes in the constitution of the Election Committees of that House it would be difficult, perhaps impossible, to point to any case in which those Committees had failed to do their duty; and that, nevertheless, in spite of the purity and efficiency of the Committees of that House, the system of bribery, as they very well kenw, prevailed to a scandalous degree. Well, the hon. Member had a *nostrum* of his own, and said, "Don't introduce anything to improve the present state of things till you give us the ballot." That, of course, was a fair line for the hon. Gentleman to take if he was anxious to recommend his own peculiar remedy to the exclusion of all others. [Mr. Berkeley: I never said that.] That, however, was what the hon. Member's argument pointed to, because he contended that unless they gave the ballot it was of no use trying anything else. It was all very well for Gentlemen who believed the ballot was an invaluable, if not the only effectual, preservative against electoral corruption to argue in that manner. But those who were of a different opinion on that point, and who wished to consider whether there was any other way of grappling with that evil, were naturally led by their conviction that the Election Committees had done all that could fairly have been required of them, but without effect, to inquire whether it was not necessary to take a step further, and go beyond the precincts of the House itself in order to accomplish that at which they all professed to aim. He had listened to the speech of the hon. Member for Berwick-on-Tweed (Mr. A. Mitchell) expecting to hear from him a stronger case than he had presented. Of course, it was easy to say they all had the same great object in view, that they all desired to promote an efficient inquiry, and so forth;

but when the question came how that was to be done, the hon. Gentleman gave them a most vague and shadowy plan. And as to the hon. Gentleman's objection to the plan of the Government, he must say he never heard a more miserable objection; because, when reduced to its elements, it amounted to this, that, in his opinion, apparently, it was the House of Commons only that was interested in the character of the elections to that House, and that it would be a crying sin and shame if the House of Commons were to surrender its right to control and regulate the elections of its own Members. Now, he entirely disagreed with the hon. Gentleman at the very foundation of his argument; because he said it was not the House of Commons only that was interested in the purity of the elections to that House, but the whole country was interested in it. [Mr. MITCHELL here made a remark which did not reach the Gallery.] The hon. Gentleman might say it was an affair that rested with the constituencies and the House; but he held that the whole country was interested in the matter; and if by any particular system they could secure greater electoral purity, and could provide a better remedy against the evils which unfortunately crept into the election of Members of Parliament, he maintained that any attempt to resist that upon the ground that it involved an interference with certain imaginary privileges of the House of Commons was an objection to which the country would never listen, and ought not to listen. Of course, if he could show that the particular proposal contained in the Bill would be inefficient for its purpose, that was a valid objection; but the main ground on which the hon. Gentleman put his argument was that they would have another power in the State interfering between the electors and the elected. The hon. Member for Bedford (Mr. Whitbread) had answered the hon. Member for Berwick-on-Tweed extremely well, and had shown that there were now various instances in which another power interfered between the electors and the elected. The hon. Member for Bedford noticed the case of a Member of that House who might be adjudged a bankrupt; but he mentioned another and more frequent occurrence of the interposition of another power—namely, in the very settlement of the list of electors themselves. Who was it that adjudged whether an elector had or had not a right to his vote? Why, the Revising Barrister, a power not appointed by that House at all—but as the hon. Member for Berwick-on-Tweed would say—by another branch of the Legislature; and they might as well say it was an infringement of the privileges of that House that Revising Barristers should go round the country to decide whether a man had a right to his vote as that a Judge or any other tribunal should go to decide whether he had rightly exercised his franchise. He did not wish to occupy the time of the House by discussing that matter. It seemed to him that, if they were really in earnest about it, they do much better by proceeding to consider the Bill submitted to them by the Government, and not only by the Government, but by the careful Report of a very well-selected Committee of that House, comprising the most important Members chosen from all parts of the House, who gave great attention to that subject last Session. The Government when they brought in their measure last Session, did, indeed, proceed tentatively and cautiously, and it was true, as the hon. Member for Berwick-on-Tweed said, that that Bill, as originally introduced, preserved the right of the House of Commons to review the decisions which another tribunal might come to on these matters. What the Government had felt was, that it was important they should introduce a measure which would be efficacious, and which would also be accepted, and that it was of no use bringing in one that might look well, but that would be exploded. Therefore, they proposed a measure which, in the first instance, was very carefully prepared, to preserve the ultimate control of that House over these cases. But the moment that Bill was introduced, Member after Member rose and said, if they were to make the attempt they should do it on sound principles, and not seek to bring the decisions of the external tribunal under the review of that House; and when the Bill came before the Committee, there was found to be almost an unanimous opinion there that it would be better to intrust that jurisdiction to a tribunal which would command confidence, and with which they could leave the final decision. The Government accepted the decision of the Committee, and the Bill had been brought in in accordance with that decision. If they went into Committee he should be prepared to discuss the particular framework of the tribunal; but he thought, if the House was really in earnest in its desire to check bribery at elections, that it would fairly grapple with the question, and that it was, he might almost say childish, and certainly futile, to be raising these objections as to an unwillingness to part with an imaginary privilege of that House which stood in the way of serious improvement.

MR. P. WYKEHAM-MARTIN said, he approved of the suggestion of the hon. Member for Dundalk (Sir George Bowyer) that the old common law practice should be reverted to, and the evidence on election petitions be heard before a Judge and jury. It was proposed to inflict a very heavy penalty on a man for bribery—no less than making him an outlaw for seven years, which was a great deal worse than the punishment which would be inflicted on him if he had robbed a hen-roost. And yet the man might have been guilty of no crime at all. They proposed not to subject him to the opinion of the country—to which there was no objection—but to the caprice of a single individual. He did not, in the least degree, impute any impropriety to the Judge, who would, no doubt, try the case conscientiously; but the opinion of Judges on the moral guilt of bribery varied, for he had himself heard one Judge assert that, in his opinion, there was no moral guilt to be imputed to a candidate for the former borough of St. Albans, because it was the custom to give the voters £10 a head all round, therefore, a man gained the same whichever way he voted; and another assert that, in his view, it was bribery on the part of a candidate to subscribe to the local charities, and even to the local rifle corps. If, as was said by the right hon. Baronet, bribery was an evil which it was to the interest of the whole country that anyone practising it should be subjected to the penalty, then the accused person ought to be tried by a jury of his countrymen. So strong were the opinions of some men as to what was bribery, that he remembered on the occasion of one of his elections giving a dinner to his own father, and the solicitor who was the agent came in, and insisted, under the Corrupt Practices Prevention Act, that his father should pay for his share of the dinner. His father had to pay, and the solicitor saw a regular receipt given for it before he went away. Now, was that an act of bribery or not? This Bill ought not to be made a trap involving the most fearful penalties for what might be a perfectly innocent act. He was told a few days ago by a most eminent counsel and solicitor, both of them opposed to him in politics, that frightful extortion might be committed under this Bill. The hon. Member for Bedford (Mr. Whitbread) said that time was a great element in the matter; but in twenty days a man might be able to make up something that would extort a very considerable sum from an unfortunate Member. There was his hon. Friend the Member for Nottingham, who would not give sixpence away improperly, and who would yet go the length of subscribing to the Nottingham Rifle Corps. [Mr. OSBORNE: Yes; or a dinner to my father.] Suppose a man went in twenty days after an election to his hon. Friend, and said, "Your Friend, Mr. Wykeham-Martin, has been down to Nottingham, through his great zeal for you, and he, having come down on your account, having walked out with you frequently, and being, in fact, your agent, has given a quart of beer to one of the electors." [Mr. OSBORNE: He would not care much for a quart.] In that case there would be no suspicion of bribing; but there would be the offence much more difficult to avoid, of treating. If the man in that case did not have matters squared with him, the Member's career might be cut very short, and he would be made an outlaw for seven years. His hon. Friend might not, under such circumstances, submit to extortion; but many timid Members might. If this Bill only had those offences which constituted bribery properly defined, it might be made a very valuable measure; but if not it might become a most iniquitous one. If Her Majesty's Government would satisfy him that the Bill was *bonâ fide*, and not to be made into an engine of tyranny and oppression, he would cordially support it; but if not, he should be inclined to vote not with the hon. Member for Berwick-on-Tweed but against the Speaker leaving the Chair.

MR. J. STUART MILL: Sir, if the question were solely between the Bill of Her Majesty's Government and the Amendment, I should have no hesitation in at at once deciding for the Bill. Not that it corresponds or comes up in all respects to my notion of what such a Bill should be. Nor do I believe that by any one expedient—and there is only one expedient in this Bill—we can hope to put down corrupt practices. If the House are in earnest in their desire to put down corrupt practices at elections—and I am bound to believe that they are, however little credit they receive for such earnestness out of doors—I apprehend they will be obliged to have recourse, not to one, but to several expedients. Nevertheless, I think favourably of the Bill, because though it does in reality only one thing, that thing is a vigorous one, and shows an adequate sense of the emergency. It shows a sense that, in order to put down this great evil, it is necessary to go out of the common path. The truth is that, however possible it may be for Committees of this House to be impartial on the question to whom the seat shall be given—and I do not deny that they are often impartial in that respect, nor is it hopeless that they might be always so—nobody out of this House, and I think I may almost add in it, believes that so long as the jurisdiction remains in this House the penalties against the giver of the bribe will ever be seriously enforced. There are several reasons for this, some of which, perhaps, had better be understood than expressed. To confine myself to what may be said with safety ; any tribunal that acts only occasionally as a tribunal, still more any person called for the first time so to act, as is often the case with Members of Parliament, has naturally a very strong indisposition to convict: and still more is this the case when those who have to decide are men of the same class, and the same general cast of feelings, and subject to the same temptations as the accused, and men of whom it must be said that hitherto they have been disposed to consider a scrape of this sort as much more a misfortune than a crime. I think that there is, after all, something in the objection to the proposal for giving the ultimate decision to a Judge not appointed by the House. There is some reason against their handing over their jurisdiction at once and for ever to a functionary appointed solely by the Crown ; but there is an easy mode of getting rid of that objection—namely, by making the Act temporary. I am not sure that it should not be annual—that it ought not, like the Mutiny Act, to be renewed every year, so that there should never be any long time during which evil consequences need be suffered. And although I do not myself think that any evil consequences are likely to follow, still, as where there is a bare possibility there is always apprehension, I hope that, if the House adopts the Bill, the Government will see the propriety of introducing some limitation such as I have suggested. There is another point on which I wish to say something. Great objections appear to be felt to turning over these inquiries to the Judges of the land. Would it not be a suitable way of meeting these objections if this tribunal were to be only a tribunal of appeal ? Indeed, even if the House should not choose to adopt this tribunal—if they should keep these matters in the hands of a Committee of their own Members presided over by a legal assessor—and few, I think, will now deny that there must at least be a legal assessor—whether the House adopt this way, or whether they adopt the proposal of the Government—there are very strong reasons for making the tribunal only a tribunal of appeal. It is only by enquiry diligently made on the spot, that the truth in such matters can be discovered. I will make one suggestion, which will be found in a pamphlet which has attracted a good deal of attention, and has been read, I know, by Members of the Government. It is written by Mr. W. D. Christie, formerly a Member of this House, and who I hope may be so again. It is that there should be a local inquiry by a person of competent legal qualifications after every Parliamentary election, whether there is a petition or not. ["Oh, oh!"] Notwithstanding the dissent with which this proposition seems to be met, much may be said in its favour ; for the very worst cases are invariably those in which petitions are either not presented, or, having been presented, are afterwards withdrawn, because it is found that an inquiry would be equally damaging to the case of the petitioner, both parties being tarred with the same brush. These are such flagrant cases that I am sure it must be admitted that, unless they are in some manner provided for, it will be impossible effectually to put down bribery. The officer whom I suppose to be appointed would proceed after every election to the spot, and there sit in public to receive any complaints that may be made. Of course it is a necessary consequence that this officer should have the power, where the complaints are frivolous, of throwing the expense on the complainant. And whatever expenses would not thus be met, should be defrayed by the locality—should be, in fact, a public charge. There is the more reason for appointing such an officer, as it is indispensably necessary that there should be an inquiry, not only into Parliamentary, but into municipal elections, which are the nurseries of Parliamentary bribery. Mr. Philip Rose, a Conservative solicitor, well known to many hon. Members opposite, has expressed an opinion on this subject which is well entitled to attention. Mr. Rose says, in his evidence before a Committee of the House of Lords, that in a vast number of places, illegal practices are carried on at municipal elections by a regular machinery, which is also made use of at Parliamentary elections. He adds that great pressure is brought to bear upon Members of Parliament to contribute towards the expenses of municipal contests, because it is held out to them that £10 spent upon one of these is better than £100 spent in a Parliamentary contest; and that it is an axiom among agents—" We were able to return our municipal candidate, and we shall therefore be able to return our Parliamentary candidate." After such testimony, coming from such a quarter, it is plain that, if you really wish to put down bribery and corruption at Parliamentary elections, you must extend your interference to municipal elections also. In addition to the duties which I have suggested that the Commissioners of Inquiry should perform after each election, there are a number of other duties which might well be performed by those functionaries. They would naturally act as election auditors; and, in places from which no petition proceeds, their principal business will probably consist in scrutinizing the accounts which Members are already obliged to render, and which ought to be required from them with greater accuracy and completeness. Belonging to the same class from which revising barristers are taken, there will be an obvious propriety in their acting also in that capacity; and they might even fulfil the duties of returning officers. [" Oh, oh! "] Whatever functionaries of this description may be appointed, no fear need be entertained that there will be any want of work for them. If you feel that the control of all these matters ought not to pass out of your own hands, you might leave the nomination of these functionaries in the hands of the Speaker; but any difficulty on that score will best be got rid of by making the legal authority proposed by the Bill of Her Majesty's Government the tribunal of appeal. These are the suggestions which I have felt it my duty to offer in reference to the measure brought forward by the right hon. Gentleman the Head of the Administration. The reasons in support of them will be found at length in the very able pamphlet to which I have referred.

Mr. Serjeant GASELEE said, however unpleasant the proposal of the hon. Member for Westminster (Mr. Stuart Mill) might be to the House and to the country, which would have to pay for it, he thought one set of gentlemen, at all events, would owe him a debt of gratitude—he meant the revising barristers and barristers of seven years' standing. The scheme was so chimerical that he should not, at that time of night, waste the time of the House by answering it. There was to be, it seemed, a Court of Appeal, so that there would be two trials instead of one, which would perpetuate and increase the very objection now made to our present election tribunals, that they were so expensive. He quite agreed with the hon. Member for Bedford (Mr. Whitbread), who had given reasons which it was impossible for any man to answer, that so far from the dignity of the House being concerned in retaining its jurisdiction, it was rather a point of weakness and dissatisfaction throughout the country to see the present unsatisfactory way in which Committees discharged their duties. He was surprised to hear the right hon. Member for Kilmarnock (Mr. E. P. Bouverie) lately say that the issues before the Committees were so simple that any body of men could easily decide them. One of the most complicated questions was that of agency. If the House gave up their jurisdiction, as he thought they would be quite right in doing, they ought to transfer it to the highest possible tribunal. He had as great respect for the dignity of the Judges, with whom he was more nearly connected, as the noble Lord opposite, and he put it to him, whether it would not be possible to get this jurisdiction undertaken by them? When this House gave the Judges the appointment of revising barristers they did not object that that patronage would destroy their independence and render them political. He recognized no right in the Judges to decide upon their duties; if they objected to discharge them, the course open to them was clear. In the words of the excellent prayer which they used to repeat in College, there would always be a supply of men duly qualified to serve in Church and State. The duties of the Judges had been very much diminished of late by two Acts transferring a large share of the business which formerly came before them to the County Courts on the one hand, and to the masters and clerks on the other. And further than this, it was proposed that three Judges should be allowed to sit *in banco* instead of four. The fourth, when he did sit, was always an outsider; for the Chief Justice sat in the middle, with a *puisne* on either side of of him, and the fourth was unable to communicate with anybody. With every possible respect for the Judges, they should be invited to re-consider their decision. It might be necessary to add two or three to the total number, and when a necessity arose for sending down a special Commission connected with elections all the names might be put together and a couple of Judges chosen by ballot. The Scotch Judges had very little to do, and they might be got to try the Scotch petitions. The Irish Judges also, his friends told him, had a great deal of leisure on their hands ; and if they were called upon to take cognizance of the Irish elections, that would be only "justice to Ireland." With a little coaxing and encouragement on the part of the Prime Minister, backed by an expression of opinion on the part of the House, the Judges, he was convinced, might be induced to undertake the duties which it was sought to intrust to their hands.

MR. BOUVERIE said, that one suggestion made by the hon. Member for Westminster, to the effect that any transfer of jurisdiction to an external tribunal should be temporary in its character and renewable from time to time, was well worthy of favourable consideration. The experiment was a bold one, and he entertained great doubts whether it would succeed. The House seemed hardly to attach sufficient value to the constitutional privilege which, to a great extent, it still retained of appointing its own tribunal to try those important questions concerning the seats of its own Members. The hon. Member for Rochester (Mr. P. Wykeham-Martin) had very properly objected to the proposal to place the trial of controverted elections in the hands of a Judge without a jury. For what was the present tribunal but a small jury selected with care by the House, and composed of men in whom it could trust, to try the question of facts, whether the sitting Member by his agents had or had not been guilty of bribery? Let the House bear in mind that this privilege had been only won from the Crown after a great struggle 250 years ago. It was thought then by our ancestors, who were as wise, perhaps wiser, than ourselves upon these matters, that it was essential to their independence that they should have the trial of these questions in their own hands. And if hon. Members thought fit to look back to the Great Remonstrance presented by the House of Commons to King James at the commencement of his reign, they would find that this was one of the points most strongly insisted upon by the Commons. What was the proposal now made by the Government, with the sanction, apparently, of many hon. Members present, and with the approval of the hon. Member for Bedford (Mr. Whitbread)? It was to transfer to one person nominated by the Crown the trial of controverted elections. The nomination of the Crown now-a-days was the nomination of the party commanding a majority in that House. And when party spirit ran high—and they knew that Judges, before their appointment at any rate, had not been untainted with party spirit—how long did the House suppose that the decision of a single Judge sitting to try, without appeal, the character of hon. Gentlemen and of constituencies, would continue to be regarded with respect ? However pure and upright a single Judge might be they might rely upon it that, after a time, there would be, rightly or wrongly, a weight of odium accumulating against his decisions, rendering it impossible for such a tribunal to continue. He did not say that the present tribunal was a perfect one ; but, like a jury, it ceased to exist as soon as it had given a decision, and though that decision might be found fault with by people out-of-doors, no personal imputation rested upon those who had composed it. They were in the long run admitted to have acted honestly, even if imperfectly, and no odium attached to them. But would this be the case with a single Judge ? If a gentleman of the long robe who had taken a warm part in Parliamentary conflicts became a Judge, as often happened, and if he had to decide absolutely upon the seat and the character of the Leader of the House or the Leader of the Opposition, would his decision be accepted as a pure and impartial one ? He had spoken with eminent men of the legal profession on the subject; and they had urged with much force that such a jurisdiction involved an amount of odium and an imputation of party spirit which in the long run would assuredly destroy its weight and character. Lord Chief Justice Cockburn, than whom there was no more competent authority, had stated this objection very forcibly, showing that Judges were now free from such imputations because they had not to try questions of this kind, and the argument was no mere *ad captandum* one, but was entitled to great weight. His hon. Friend (Mr. Whitbread) had urged that the plan proposed would secure a trial on the spot and an immediate decision; but if, as the hon. Member for Westminster had suggested, there were a fishing inquiry into every election, there would be little prospect of an immediate decision, and even if only returns that were petitioned against were inquired into, he questioned whether the dilatoriness of the new tribunal would not far exceed that of the present one. Indeed, one of the advantages of Parliamentary Committees, whether with regard to election petitions or Private Bills, was that their administration of justice, however rough and unskilful, was rapid. A decision was given within a reasonable time, whereas, if forty, fifty, or sixty petitions had to be tried by two Judges in all parts of the country, with the host of witnesses which a local inquiry would produce, he doubted whether the proceedings would be completed in less than two or three years. He thought that a great deal of the public feeling which existed as to the unsatisfactory nature of the present tribunal was due to a misapprehension. The popular notion was that a Committee sat to try the corruption of a constituency; but in truth the simple issue to be tried was whether the sitting Member had been guilty, personally or by his agents, of bribery or treating, and the amount of evidence adduced by the petitioners was generally the smallest which could be adduced with safety to their cause. A Committee had not to inquire into the general corruption of a constituency, over which, indeed, all parties were more or less interested in drawing a veil; and the simple issue presented to them was one which a jury of English gentlemen were perfectly competent to determine. Moreover, the expense, unless from an unforeseen accident the proceedings were unusually delayed, was not excessive. An inquiry on the spot would, he believed, be more costly—["Oh!"]—because the expensive part of the machinery would have to be taken down to the inexpensive part. He believed it would be dearer for the counsel and agents to go down from London than for the witnesses to be brought up. However that might be, he thought the local inquiry should be confined to the charge of corruption against a constituency; and if the Bill provided a permanent tribunal for the investigation of such charges, whenever made, without the cumbrous preliminary of an Address by both Houses to the Crown, it would be much better than the present proposal. While trusting that the House would weigh well the importance of parting with a privilege wrung from the Crown by our ancestors, he would recommend the hon. Member for Berwick-on-Tweed (Mr. A. Mitchell) not to divide the House upon his Amendment, since it was not favourably viewed, and he thought that in Committee the practical difficulties of the Government scheme would be so evident as to necessitate a preference for something like the existing system.

Mr. AYRTON said, that the House was now discussing for the first time a measure of great importance, and, before going into Committee, they ought to know how Scotch and Irish petitions were to be tried. Were they to be tried in the same manner, or were they to be tried in Scotland and Ireland by the ordinary Judges? He would not attempt the disagreeable task of persuading hon. Members to retain an authority which they felt themselves conscientiously unfit to exercise; but he doubted whether this measure would improve the administration of the law. It had, apparently, two objects—first to deprive the House of its jurisdiction, in regard to the right of Members to sit in it, and secondly to repress electoral corruption. Now, would it not be better to pursue the latter object alone, without dealing with the question of jurisdiction? That question had important constitutional bearings; and its transference to the Judges might raise the question whether a seat had been vacated, or whether a writ had been properly issued, leading, perhaps, to a conflict between the House and an authority beyond its walls. It had been said that there was a law of the land as administered in Westminster Hall, and a law of Parliament administered in this House, and that a Judge thoroughly conversant with the former might be profoundly ignorant of the latter. Now, a Judge vested with this authority might enforce what he held to be the law of the land without taking due cognizance of the law of Parliament. So far from their being likely to repress bribery, he believed these provisions were artfully conceived for the purpose of encouraging bribery. ["Oh!"]. He would tell the House why. A Judge of Assize was to go down, with all the dignity of his office, to try a charge of electoral corruption. He would not go down like those ferrets, the Commissioners, who had no dignity to uphold, and who could pursue their inquiries when and where they pleased, and ascertain the truth. The Judge was to try an issue technically raised under an Act of Parliament. Well, the parties prosecuting might not appear, and then the Judge could no nothing ; his functions were practically at an end. In order to ensure that the Judge should have as little as possible to do, what did the Bill propose? It proposed that a man should be compelled to give such a security as would make him very unwilling to act at all. And, then, in order to insure a full disclosure of corruption, the Bill provided that, in the case of an inquiry into the general corruption of a constituency, the expenses of the inquiry should fall upon the inhabitants of the place. He could not conceive any expedients better devised to render the inhabitants indisposed to a full and searching inquiry. Besides, the Judge would confine himself to trying the one simple and narrow issue—the right to the seat ; and, the moment a single act of bribery was proved, the Judge would be called upon to decide the question of the seat, as it was not for the interest of anyone to expose general corruption or to risk the disfranchisement of the borough. He was perfectly ready to go into Committee for the purpose of seeing whether they could discover a mode for putting down bribery and corruption, though he held that the Bill would wholly fail to effect the main purpose for which it was said to have been introduced. He recommended the hon. Member for Berwick-on-Tweed to withdraw his Amendment.

Mr. WALPOLE said, he believed the answer to the first part of the hon. Gentleman's speech was very easy—namely, that, by the very provisions of the Bill now before the House, Her Majesty's Government must almost of necessity bring in a measure which, regard being had to the different circumstances of the country, would establish as nearly as possible the same system for Scotland and Ireland. The objections taken to this Bill were of four kinds. The first objection insisted on in the Amendment, and still more strengthened by the argument of the right hon. Member for Kilmarnock (Mr. Bouverie), was that it was proposed to take away the jurisdiction of the House. But the Secretary of State for India had shown very clearly that the privilege supposed to belong to the House was clearly imaginary. It was very true, as the right hon. Gentleman had reminded them, that the House had 200 years ago extorted this privilege from the Crown. But the state of things was very different 200 years ago from what it was now. Then it was the law and custom of Parliament to determine the right of the different electors to vote for the different places, and that law and custom of Parliament could not be interpreted by any authority but that of Parliament itself. But the moment they turned the right of election into statutory law, then it was no longer a question for the House of Commons to determine, according to the custom of Parliament, but according to the rules by which Courts of Law decide that and other questions. The question which was sent to a Committee upstairs to decide was not what the Parliamentary custom might be, but what the statute law was. Then, the second objection taken by the hon. Member for Westminster (Mr. Stuart Mill) was to this effect, that they were about to transfer to the Judges of the land a power which they might exercise in a manner not satisfactory to the House, inasmuch as they were appointed by the Crown. Such an objection as that would also have been very good 200 years ago, when the Judges were removeable at the pleasure of the Crown ; but when once the Judges were made independent, they were as independent of the Crown as of that House in administering the law. The next objection was one that was urged by the hon. Member for Rochester (Mr. Wykeham-Martin), and there was some force in it—that they were giving power to a single Judge to try questions affecting the character of individuals, and to inflict upon them very heavy penalties. Now, the Bill dealt with two different subjects—the one a question of law, the other of fact. With regard to the question of law, that would be referred back under the Bill to more Judges than one. But with regard to the question of fact, it might be worth while to consider in Committee, whether in some cases it might not be the privilege and right of persons whose interests were affected to insist upon having the matter tried by a jury under the direction of a Judge. The last objection was raised by the hon. and learned Member for the Tower Hamlets (Mr. Ayrton)—namely, that they would by this Bill increase, instead of diminish, corruption and expense. But how could that be proved? The fact was, that if they sent these matters to an independent tribunal, where the Judges were not interested in the least degree in upholding corruption or in screening it, the probability was that they would do more to put a stop to the vicious practices than if they were to keep the inquiry in the hands of those who might come personally into contact with the gentlemen implicated in the alleged crime, and who, therefore, might be disposed to be more lenient than a Judge of the land would be. On the subject of expense, his hon. and learned Friend could hardly be serious in arguing that to try these questions where the witnesses were not brought from a great distance, where large fees were not paid to counsel, and where constant adjournments would not take place, could be more expensive than it was at present where such inconveniences also necessarily occurred. It is true that by this Bill the alleged corruption of any particular constituency would not be investigated, because the issue would be raised not with regard to the general constituency, but with regard to the particular seat, and, in such cases, recourse must be had to a petition presented to that House, and the matter must be tried by a different tribunal when the charge of corruption was distinctly brought against a whole constituency. For these reasons he hoped the House would go into Committee, in order to constitute a better tribunal than that which they had been hitherto able to obtain.

Mr. HENLEY said, he was anxious to say a few words on this Bill. He thought it was incumbent on those who wished to make a great change—to take away a privilege of 200 years' standing—to show distinctly that what they proposed would be an improvement, and that it would stop that corruption which it was its professed object to put down. Let them look to the tribunal constituted under the Bill. The House was now discussing a second proposal. The first proposal was for Judges of a certain standing; but now they had got to Judges of higher salaries and greater honours, and not only that, but his right hon. Friend (Mr. Walpole) said that they must have a jury also. But where were they to end? Now he, for one, was of opinion that they were departing from the old principles of our law and jurisprudence in putting crimes of such vast consequence not only to individuals, but to the country, upon the judgment of a single man. He cared not who that man was for; they could not show, in the whole range of our law, an instance in which issues of this kind were placed at the will of a single man without appeal. For what were they doing? They were not only depriving the individual of a seat; but they were putting it in the power of this Judge to stamp with infamy for seven years, any man whom he might condemn honestly, no doubt, but perhaps mistakenly. If the case were a simple one, where there was no conflict of testimony, it was not of much consequence what kind the tribunal was, for justice was sure to be done. But in these cases there was always a great conflict of testimony from the mouths of witnesses not the most reliable; for, generally, the class of witnesses on election petitions was tinged with party feeling. He did not mean that they said what they knew not to be true; but in the heat of elections people acted under the influence of strong feelings, and the most contrary evidence of what took place was given. The proper tribunal for such cases was a jury; and if the House wanted to have justice done they would take care to have juries where men helped one another to come to a right conclusion. Juries would do justice where a single Judge would not do it. In the conflict of testimony a single man would shrink from coming to a hostile conclusion. And why did they say that cases where a a man's life, or character, or property was at issue should come before a jury, and not merely before a Judge? Well, if they were right in that, on what principle would they hand cases of contested elections over to a single Judge? At present a Committee of five was a jury composed of a man's equals, and that was the principle of our law from beginning to end. He thought it was incumbent on the Government to show that the Court which they proposed to establish would be better, more in consonance with the usages of this country, and more likely to stop corruption. He did not believe it would be. He gave the Government great credit for endeavouring to deal with this very difficult subject; but he did not believe that their plan would be an improvement on the existing system. If this were so, it would be better not to proceed. He did not think that abstract Resolutions were convenient. It would be far better to have no abstract Resolution at all on the matter. He was sure that the House would even give up a privilege if by so doing they could stop bribery and corruption; but he repeated that he did not think this Bill would have that effect.

MR. CRAUFURD opposed the progress of the Bill, on the ground that it would, by its operation, entail as much expense as, or more expense than, was caused by the present system. He thought that it was due to the right hon. Gentleman who had just sat down and to the House that the Head of the Government should meet the objections which had been urged against the Bill. He begged, therefore, to move the adjournment of the debate.

This Amendment met with no Seconder.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

MR. DISRAELI moved that the Chairman report Progress.

MR. AYRTON hoped that before the Motion was agreed to the right hon. Gentleman the First Lord of the Treasury would state the intentions of the Government with respect to Ireland and Scotland.

MR. DISRAELI: We propose, when this Bill is carried, to introduce Bills for Ireland and Scotland analogous in their nature to this, though not exactly the same. We do not contemplate that it will be necessary to increase the number of Judges either in Ireland or in Scotland.

Motion *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Monday* next.

### MUTINY BILL.—COMMITTEE.

(*Mr. Dodson, Sir John Pakington, The Judge Advocate General.*)

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 21, inclusive, *agreed to.*

Clause 22 (Providing for the infliction of corporal punishment).

MR. OTWAY said, that this question had been so often argued in the House that he should not dwell upon it at any length. Last year he showed that corporal punishment had failed as a remedial measure; that those soldiers who had been subject to it had become worse men; and that, in modern armies, with one exception, corporal punishment had been abandoned. In the Russian army he believed the lash was still administered; but even there it was more equitable than with us, seeing that not only private soldiers, but officers, and even noblemen, were occasionally subject to the infliction. The question had very much progressed since it had last been discussed in that House, although in the House itself the cause had retrograded; their proceedings with respect to the practice having been something like the Pyrrhic dance — a step forward and then another backwards. Although flogging had been abolished for certain offences, the distinction which had before prevailed was abolished. Formerly all soldiers when first enlisted belonged to the first class, on which corporal punishment could on no pretence be inflicted; but, in a weak moment, the Minister for War yielded to the representations of Gentlemen on that (the Opposition) side of the House, and abolished the distinction of classes which Lord Herbert had pronounced to be the great protection of the soldier. It might be said that this question should not be discussed now, because the larger question of Courts martial was submitted to a Royal Commission. Of late an extraordinary theory of Government had been acted upon when difficult questions were for settlement, which was to relieve the Executive of its responsibilities by referring the matter to a Royal Commission. Passing that by, the Royal Commission in question could not command the confidence of the country. With the exception of the hon. Member for Bedford (Mr. Whitbread), until the hon. and gallant Member for Truro (Captain Vivian) was appointed the other day, the Members of that Commission had, by voice or vote, expressed themselves in favour of corporal punishment. Yet he assumed that the most important thing to be decided by the Royal Commission was this very question of corporal punishment. Pending the decision of this Royal Commission, he maintained that it was important that the punishment of the lash should be suspended. What would be the feelings of any man who was punished while the question was under consideration? And who were the men on whom we inflicted this degrading punishment? In all times, from the days of Cressy and Agincourt to those of Waterloo and Lucknow, the British soldier had been a model of valour and discipline, and yet he was to be subjected to the same degradation as a cowardly garotter or a convicted felon. Parliament had recently admitted the fathers and brothers of British soldiers within the pale of the Constitution; let them do one thing more—let them endeavour to elevate the soldier rather than degrade him; let them make him feel that he was the armed citizen of a free country. In conclusion, he moved to omit part of the clause, and to insert—

"No court martial shall for any offence whatever committed under this Act during the time of peace, within the Queen's Dominions, have power to sentence any soldier to corporal punishment."

Amendment proposed,

To leave out from the word "any," in line 36, to the word "shall," inclusive, in line 40, in order to insert the words "no court martial shall for any offence whatever committed under this Act during the time of peace, within the Queen's Dominions, have power to sentence any soldier to corporal punishment,"—(*Mr. Otway,*)

—instead thereof.

SIR JOHN PAKINGTON said, that considering the present position of the question, he should not think it necessary to follow the hon. Member at any length. He would merely remind the Committee that very great concessions were made upon this subject last Session. Corporal punishment was now in a very different position from that in which it had ever been before. The Government had recommended the appointment of a Royal Commission, which was to inquire not only into the constitution of Courts martial, but into the whole system of military punishments. Under these circumstances, he hoped the hon. Member would not press his Motion.

MR. HEADLAM said, he rose to correct two inaccuracies of the hon. Member for Chatham. Before last Session men might be flogged for mutiny and insubordination, whether they were in the first or second class, and that rule was continued; and besides the hon. Member for Bedford (Mr. Whitbread), there was another unpledged Member of the Royal Commission, and that was himself. Last year he expressly guarded himself against giving any opinion as to whether corporal punishment ought to be done away with or not. As the subject was now before a Commission, of which he was a Member, he must abstain from taking part in any division upon it.

CAPTAIN VIVIAN said, last year he voted against the continuance of corporal punishment, and he held the same opinion still; for he believed it would be a good thing if the right hon. Gentleman would state that it should be abolished — that would, he thought, tend to increase the *morâle* of the army more than anything else; but the House had been informed that he had been appointed a Member of the Royal Commission; and, after consulting the other Members of it, he felt it was a delicate matter to give a vote upon a question which that Commission had to try. Therefore he trusted that the question would not be pressed to a division.

COLONEL WILSON-PATTEN said, that having the honour of being Chairman of the Commission which had been alluded to, he also should refrain from voting on the present occasion.

SIR CHARLES RUSSELL observed, that last year it was said by the hon. Member for Chatham (Mr. Otway) that men were deterred from entering the army by the existence of corporal punishments. Now, the fact was that, during the last year, 26,000 men had re-enlisted; and this was a larger number than those for the whole seven years before amounted to, and recruiting had during the year enormously increased. The cases of corporal punishment had also during the year amounted in number to only seventeen for the whole army. They, at this time of day, were rather in favour of jumping to conclusions all of a sudden. Much improvement had taken place in the army, and this was caused to a great extent by the measure of the right hon. Member for Huntingdon (General Peel), who increased the pay of the soldier 2*d.* a day, and the consequence was that they were getting better and more contented men. As a proof of this, he might mention that out of the 812 men who composed his own battalion, there were only two who could not sign the pay-book. He hoped that corporal punishment would grow less yearly; but his own opinion was that, for the ruffians who were in the army — for there were some such—there ought be retained the power of inflicting corporal punishment, which power should be exercised with discretion and with great reluctance.

MR. TREVELYAN said, that the strongest statement in favour of the Amendment was that there had, in the year, been only seventeen cases of corporal punishment, whilst enlistments were largely increased by the extra 2*d.* a day. This being so, there was no reason why they should not send the seventeen bad bargains packing, and do away with this degrading punishment.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—Ayes 127; Noes 152: Majority 25.

Clause, as amended, *agreed to.*

Clauses 23 to 31, inclusive, *agreed to.*

Clause 32 (Expenses of confining military prisoners in county gaols).

Mr. DARBY GRIFFITH moved an Amendment. The hon. Member explained that, according to the present regulations, Government only allowed 1*s.* a day for the maintenance of military prisoners in county gaols, which, in many cases, was not sufficient to cover the expenses. He moved that words be added to the clause enacting that a sum equal to the expense which each prisoner might occasion for maintenance and establishment charges in such prison should be allowed by the Government.

Sir JOHN PAKINGTON resisted the Amendment, on the ground that 1*s.* a day covered all expenses in the case of military prisoners.

Amendment *negatived.*

Clause *agreed to.*

Clauses 33 to 66, inclusive, *agreed to.*

Clause 67 (Interpretation).

Lord OTHO FITZGERALD moved an Amendment, with the view of placing Ireland in the same position as England and Scotland with respect to the billeting of soldiers. In the latter two countries private individuals were exempted from having soldiers on the march billeted upon them, and what he wanted was that Ireland also should be included in the exemption, which could be effected by leaving out of the clause the words "in Great Britain." The noble Lord moved accordingly.

The ATTORNEY GENERAL for IRELAND (Mr. Warren) opposed the Amendment. The grievance complained of was seldom experienced, and limited to a few persons. The fact was that the scarcity of public-houses in certain parts of the country in Ireland rendered it necessary to billet soldiers upon some private houses.

Captain VIVIAN said, that having exempted England and Scotland from this grievance, the Government sought to impose it upon Ireland. This, then, might be considered one of the causes of Irish discontent.

Sir JOHN PAKINGTON said, that having made inquiries upon the subject, he found that, from the scarcity of public-houses on certain roads in Ireland, it became necessary sometimes to billet soldiers on private houses.

Mr. CHILDERS believed that the same reasons precisely had been urged in favour of the power of billeting soldiers in Scotland. In spite, however, of such reasons, Scotland was exempted from this annoyance, and no inconvenience had been experienced in consequence.

Amendment *agreed to.*

Clause *agreed to.*

Remaining clauses *agreed to.*

Preamble.

Mr. OTWAY said, that words were inserted in the Preamble which were not true—namely, that the British army was kept up for the purpose of "maintaining the balance of power in Europe." If he wanted an authority upon this point, he need only refer to the noble Lord the Secretary for Foreign Affairs, who stated that the British army, which consisted of only 40,000 or 50,000 men, could have no effect upon the balance of European power. He therefore proposed in lines 7 and 8 to omit the words "for the preservation of the balance of power in Europe."

Sir JOHN PAKINGTON, though not concurring in the reason urged by the hon. Gentleman for the omission of the words, nevertheless did not consider them of sufficient importance to contest the point.

Preamble, as amended, *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered upon *Monday* next.

## LONDON COAL AND WINE DUTIES CONTINUANCE BILL—[Bill 43.]

(*Mr. Dodson, Lord John Manners, Mr. Hunt.*)

### CONSIDERATION.

Order for consideration of the Bill as amended read.

Mr. AYRTON moved the following clause:—

> "The accounts of the Coal and Wine Duties shall be audited by the auditor appointed by the Secretary of State under the Act of the eighteenth and nineteenth of Victoria, chapter one hundred and twenty, in the same manner as the accounts of the Metropolitan Board are directed to be audited under that Act, and the mayor, aldermen, and commons of the city of London shall lay before the auditor all the accounts and vouchers relating to the said Coal and Wine Duties, and the auditor shall have and exercise in regard to such accounts all the powers that he has in regard to the accounts of the Metropolitan Board."

Clause *brought up,* and read the first time.

Mr. CRAWFORD objected to the clause.

Mr. AYRTON said, that he should persist in moving the clause. It was one that ought really to be adopted. There should be an independent and efficient audit.

Mr. GOSCHEN did not see why in a Continuance Bill a different audit should be established from that already provided.

Lord JOHN MANNERS said, that when the matter was first mentioned to him he saw no particular objection to the appointment of an independent auditor; but he had not then heard the objections of the City authorities. As no charge was made against the mode in which the accounts had hitherto been audited, he hoped the hon. and learned Member for the Tower Hamlets would withdraw his clause.

Question put, "That the Clause be read a second time."

The House *divided*:—Ayes 28; Noes 82: Majority 54.

Bill to be read the third time *To-morrow.*

## ECCLESIASTICAL COMMISSIONERS ORDERS IN COUNCIL BILL (*Lords*).

### [BILL 69.] SECOND READING.

Order for Second Reading read.

Mr. MONK asked for some explanation of the legal difficulties which had rendered such a measure necessary.

Mr. GATHORNE HARDY said, the Bill was essential in order to establish the validity of certain sales of capitular property under Orders in Council, on the legality of which some doubt had been thrown by the Judicial Committee of the Privy Council.

Mr. BOUVERIE expressed a hope that the measure would not only establish the validity of what had already been done; but would provide for the commutation of other ecclesiastical estates not already commuted.

Mr. BENTINCK intimated his intention to oppose the Bill on its next stage.

Bill read a second time, and *committed* for *Wednesday* next.

## LOCAL GOVERNMENT SUPPLEMENTAL BILL.

On Motion of Mr. Secretary Gathorne Hardy, Bill to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the districts of Workington, Walton on the Hill, West Derby, Eton, Llanelly, Oxenhope and Stanbury, and Keighley; and for other purposes relating to certain districts under the said Act, *ordered* to be brought in by Mr. Secretary Gathorne Hardy and Sir James Fergusson.

Bill *presented*, and read the first time. [Bill 77.]

House adjourned at a quarter before Two o'clock.

# HOUSE OF LORDS,

*Friday, March* 27, 1868.

MINUTES.]—Public Bills—*First Reading*—Indian Railway Companies* (57); Oyster and Mussel Fisheries* (58).

*Committee*—Railways (Extension of Time)* (36); Consolidated Fund (£362,398 19*s.* 9*d.*)*; Legitimacy Declaration (Ireland)* (27).

*Report*—Consolidated Fund (£362,398 19*s.* 9*d.*)*; Legitimacy Declaration (Ireland)* (27).

*Third Reading*—Fairs (Ireland)* (47), and *passed.*

## SCOTLAND—POOR ASSESSMENT.

### MOTION FOR RETURNS.

The Earl of AIRLIE said: I think that the Returns which I propose to move for will throw some light on a measure that is likely to come before the House this Session—I mean the Bill to Amend the Representation of the People in Scotland. As that Bill is not now before your Lordships, of course I do not mean to discuss its provisions; and I shall not refer to it further than to say that I understand it is the intention of the Government to propose for Scotland the same occupation franchise in counties that was embodied in the Reform Act of last year—a franchise based on rateable value. As a general rule, I am strongly in favour of placing England and Scotland as nearly as possible on the same footing; but I think if we can show that there are circumstances in the case of Scotland which make it inexpedient to adopt a franchise founded on rateable value, that we are fairly entitled to press that consideration upon the Government. Perhaps, for the sake of strengthening my case, I may be allowed to refer to what has lately taken place. A very short time ago, the Prime Minister addressed a letter to the newspapers in which he laid down the principles on which a Conservative Reform Bill should be founded. One of those cardinal points was that no place should be wholly disfranchised. But I understand that in the case of Ireland the Government propose wholly to disfranchise five or six boroughs. I understand also that the much-abused "hard and fast line," which the right hon. Gentleman denounced last year as wholly inadmissible, is to be adopted in the Irish Reform Bill. I refer to these circumstances not for the sake of taunting the Government with having abandoned some of those Conservative principles which the Leader of the Party invented for them last year, and which he affirmed again this year, some ten days before he threw them over, but because I wish to point out that the Government are not exactly in a position to require us to accept any provisions which they may choose to put into the Scotch Reform Bill, merely because they happen to have been inserted in the Reform Act of last year. In the few observations I am about to make, I shall confine myself entirely to the county occupation franchise, because I take it for granted that the burgh franchise in Scotland will be the same as the English borough franchise—that is, that it will be simple household suffrage. We have in Scotland that which you have not in England, a valuation of the whole property of the country, founded upon that which, after all, is the true measure of value, the rent actually paid by the occupier. On that valuation all rates are assessed with the exception of the poor rates, and, in some counties, of the rates levied for keeping up the roads. Nothing would be simpler than to make the valuation roll the register, as practically it is now. The figure to which you should reduce the franchise so as to make it equivalent to a £12 rating in England would be a fair subject for discussion. But when you come to deal with the rateable value on which the poor rates are assessed, and seek to found a franchise on it, you get into all sorts of difficulties. In the first place, there are about a hundred parishes in Scotland where the occupiers are not rated for the relief of the poor. If you say that rateable value is to be the basis of the franchise, you cannot leave the state of things in those parishes exactly as it is at present, because the result would be not only that there would be no enfranchisement in those parishes, but that the occupiers who now have votes would actually be disfranchised; and, of course, that is too absurd a conclusion to be contemplated. There remains, then, only one alternative—you may force an assessment for the relief of the poor on those parishes where it does not now exist. I cannot imagine that the Government will bring forward so mischievous a proposal. Why are there no poor rates in the parishes I have referred to? Because there is full employment for the able-bodied men, and the sick and infirm are supported mainly by their relatives, who, from a feeling of honourable pride, are not willing that they should be dependent upon strangers. Any small deficiency there may be is made up by collections in church, supplemented by voluntary contributions from the proprietors. To force an assessment on these parishes would go far to demoralize and pauperize them. The only course, then, open to you with regard to these parishes is, that the assessor should be called upon to make deductions from the rents paid by the occupiers, for the sake of establishing what you may call a rateable value, but which really is not a rateable value because no rates are assessed on it; there are no poor rates, and all the other rates are levied on the gross rental. You are going to establish a fictitious valuation, not for the purpose of rating, but merely to ascertain the occupier's qualification to vote, when you might arrive at the same result by much simpler means. I come now to those parishes—the great majority—in which the occupiers are rated for the relief of the poor. In these parishes, the valuations are made by the parochial boards, who are authorized to make deductions, and those deductions are not made on any uniform principle. They vary greatly, not only as between different kinds of property, but as between property of the same kind in different parishes. I have had occasion to look into this matter of parochial assessments, and I find that in the county of Forfar the deductions vary from nothing at all to about 40 per cent—that is to say, in one parish an occupier who pays £12 is rated at £12, while in other parishes a £12 rating is equivalent to a rent of about £20. I believe that as great discrepancies exist in the other counties which are included in the Return moved for. I have here a Return made up by those persons whose duty it is to collect the poor rates in the county of Renfrew. I find that the deductions allowed to occupiers of the same description of property vary in different parishes from nothing at all up to 75 per cent. As to dwelling-houses, in five parishes there is no deduction made, and in them a £12 rental and a £12 rating are synonymous; in one parish a deduction is made of 33⅓ per cent, and there a £12 rating is equivalent to a rental of £18; in other parishes the deductions vary from 10 to 25 per cent, and the amount of gross rent required to give a £12 rating varies from £13 to £16. But in the case of lands, the discrepancies are much greater. In three parishes no deductions are made; in two parishes a deduction is given of 75 per cent, and in those, to get a £12 rating an occupier must pay a rent of £48. Between these limits there is almost every conceivable variety in the amount of deductions allowed. If, then, you found the county occupation franchise on the rateable value on which the poor rates are assessed, and if you fix the figure at £12, the result will be this, that in one parish an occupier who pays a rent of £12 will have a vote, while his neighbour, perhaps in the next parish, will not be qualified to vote for the same county unless he pays a rent of £48. This is an inequality too monstrous to be endured; the county franchise must be established on a basis which shall approximate at least to justice and equality. But I do not understand that it is the intention of the Government to alter in any way the laws relating to the assessments for the relief of the poor in Scotland. We come, then, to this point, that while the valuation for purposes of assessment is to be continued on the old footing, another valuation is to be made, not for purposes of assessment, but in order to ascertain the qualification of occupiers to vote. To make this valuation, we must set in motion a machinery of some kind—we must have a staff of clerks, and this needless expense and trouble is to be incurred merely for the sake of enabling the Government to preserve what they are pleased to call their consistency. It may be said that I have anticipated, in some degree, a discussion that might more conveniently have taken place when the Scotch Reform Bill came before this House. I will endeavour to meet that objection. I cannot forget what took place last year when a far greater measure—the English Reform Bill—came before your Lordships. On that occasion very important Amendments were proposed by two eminent Members of this House. Nobody can pretend that those Amendments were in any degree factious, or that any exception could be taken, on that ground, to the speeches by which they were supported. Those Amendments were honestly intended to assist the Government in framing a measure which might have some elements of permanence. How were those proposals met? The Government not only opposed the Amendments; they refused even to discuss them. They said, in effect—Your proposals may be good or bad, but we cannot consider them, it is too late; the subject has been fully discussed in the House of Commons; if you introduce any material alterations, we throw upon you the responsibility for the loss of the Bill. That was the manner in which this great measure was dealt with here—that was the manner in which this House was treated by a Government which calls itself Conservative. I cannot expect that the Scotch Reform Bill will be treated with more ceremony than the English Bill—I cannot expect that the Government will show more respect and consideration for your Lordships' House this year than they did last year. I have moved for these Returns, because I wish that this particular point, as well as the Bill itself, may be fully discussed, and discussed in good time, both here and elsewhere; and I am not without hopes, when the matter is placed in its true light, that Parliament will adopt a county franchise founded on the real rent, and will reject this fanciful scheme of a franchise founded on what is called rateable value, but which is not rateable value at all, because no rates are to be assessed on it.

Motion for,

Return from each Parish in the several Counties of East Lothian, Mid Lothian, Lanark, Renfrew, Ayr, Aberdeen, Fife, and Forfar, showing in a tabular Form the Deductions allowed by Parochial Boards to the several Classes of Occupiers of Lands, Minerals, Dwelling Houses, Public Works, and Railways; and showing the Gross Rent which, subject to such Deductions, is required in order to give to each Class of Occupiers a clear Rent of £12 rated for Poor Assessment: Also, for a Return of the Parishes in Scotland in which the Occupiers are not rated for the Relief of the Poor.—(*The Earl of Airlie.*)

THE EARL OF DEVON thought it more convenient to abstain from discussing the details of a measure which was not yet before their Lordships; and he would therefore merely state that the Government had no objection to the production of the Return.

Motion *agreed to.*

## UNITED STATES—THE NEUTRALITY LAWS—THE "ALABAMA" CLAIMS.

### MOTION FOR PAPERS.

EARL **RUSSELL**: I rise for the purpose of calling your Lordships' attention to the Commission on the Neutrality Laws, and to ask, how soon the Report of the Commission will be laid before Parliament? and to move that—

> "An humble Address be presented to Her Majesty for, Copies or Extracts of any further Correspondence that may have taken place between Her Majesty's Government and the Government of the United States in reference to the *Alabama* and other claims."

My Lords, in doing this, though I do not desire to censure the course of the Government, yet I may say that I do not concur in that course. My wish is that this country shall avoid as much as possible just the opposite error to that which both Houses of Parliament were disposed to fall into three or four years ago. During the progress of the civil war in America it was evident that a considerable number of Members of both Houses were hardly prepared to do justice to the Government of the United States, and as non-belligerents to perform all the duties of neutrality in good faith, and to abstain from everything to which that Government could justly take exception. I remember that when, on one occasion, I referred to the Southern States as the "so-called" Confederate States, the Leader of the Opposition told me that I might with just as much propriety speak of the United States as the "so-called United States;" and the same noble Earl indulged in a panegyric upon Mr. Laird, who, in my view, was usurping the Prerogative of the Crown and endeavouring to make war on his own account, thereby running the risk of involving this country in hostilities. It will also be remembered that, in the presence of a large company of Members of the House of Commons, Mr. Laird said he was proud of having fitted out the *Alabama*, and much preferred being the builder of that vessel to having made such a speech as Mr. Bright had recently delivered; and that statement was loudly applauded by many hon. Members. All this shows that many Members in both Houses were not prepared to do everything required by the duties of neutrality. Moreover, some noble Friends of mine objected very strongly to our allowing ships fitted out in this country for the purpose of running the blockade to be subject to the common law of nations, which exposed merchant ships to the risk of capture if they carried anything contraband of war. They were for protecting such ships by the naval force of this country. I find that the danger now is of a totally different kind. I find that that partiality for the Southern States has altogether ceased; and that, instead of the difficulty which I had to encounter, as the Minister of the Crown, in performing the duties of neutrality, there is a difficulty in preserving the proper position and dignity of this country against unreasonable or unfounded demands. Not that I think any objection can be taken to the course that has been pursued by the United States Government. It is only natural that people who suffered from the capture of their merchant ships and the destruction of their property should come to us for redress. The Government of that country have stated their case very temperately, and it is not from them that any of the excitement which has lately prevailed has arisen. It is persons in this country who, when the excitement caused by the capture of the *Alabama* and other vessels was entirely allayed in America, have raised the question anew, being apparently apprehensive that we shall have to meet the heavy claims which have been preferred. I confess that, under these circumstances, I feel considerable apprehension that the Government may be so pressed, that, either by negotiation or by the introduction of a Bill into Parliament at a time when the business of the Session is hurried through—or, perhaps, by both modes—our position as a neutral nation may be endangered, and we may concede demands to which, as an independent Power, we ought not to submit. It is with this view, therefore, that I beg to recall to your Lordships some of the circumstances which have occurred since the present Government have been in power, and also during the former Government. Just before I left the Foreign Office I had a correspondence with Mr. Adams; and here I may say, that I cannot mention that gentleman's name without expressing my high esteem and respect for him, the value I place upon his character, and the assurance I feel that in conducting business he did everything which honour and good faith and moderation could prescribe. While carrying out the orders of his Government, his invariably conciliatory conduct tended to render easy what would otherwise have been an almost impossible task. Now, with regard to Mr. Adams, I may state the way in which he and I left the question when I was about to leave the Foreign Office. I wrote to Mr. Adams stating the whole case as then understood by Her Majesty's Government, and about a fortnight afterwards an answer was received by my noble Friend (Lord Clarendon), going through all the points to which I had addressed myself. Mr. Adams stated that upon the law we entirely agreed. I had said frequently that the conduct of the United States towards Portugal in 1818 was such as might advantageously be followed, since when some Portuguese ships had been captured by privateers fitted out in America they did all that was required by their neutral position and by their dignity as an independent State. Mr. Adams, at the commencement of his letter, stated that, as we entirely agreed upon the law, there was no need of carrying on further discussion upon that subject; but he went on to make a statement with respect to the facts of the case. I had expressed a hope that there might be some legislation which would tend to ascertain more precisely the position of neutrals, and on which both Powers might agree. Mr. Adams, remarking upon this, said—

> "So long as the heavy list of depredations upon American commerce, consequent upon the issue of a succession of hostile cruizers, built, fitted out, armed, manned, and navigated from British ports, continues to weigh upon their minds, it would be the height of assurance to expect any common legislation."

Upon this Lord Clarendon, in a letter dated the 2nd of December, 1865, remarked—

> "It is, nevertheless, my duty in closing this correspondence to observe that no armed vessel departed during the war from a British port to cruize against the commerce of the United States."

Thus, while there was an agreement respecting the law of the case, there was the widest difference with respect to the facts. Mr. Adams spoke of a succession of armed cruizers being fitted out in British ports. But Lord Clarendon said that no such cruizers left British ports to prey upon the commerce of the United States. The noble Lord who now holds the seals of the Foreign Office differs so far from me, that he holds it was wise to submit the question at issue in this controversy to arbitration. I have already stated in this House that that is a matter entirely within the discretion of the Secretary of State; and that the fact of my having refused to submit the question to arbitration was no reason whatever against Lord Stanley adopting that

mode if he thought that beneficial results would follow, and to that course I could not make any objection. But I certainly do not anticipate any good results from arbitration. Now, as to the questions to be submitted to arbitration, I own I cannot concur with Her Majesty's present Government. It seems to me that, Mr. Adams having stated that a succession of hostile cruizers, manned and armed by this country, had been sent out to prey upon the commerce of the United States, and Lord Clarendon having distinctly denied that assertion, the first thing for an arbiter or for any Commission that might be appointed to investigate would be the facts. If it was found that there had been armed vessels, or even that there had been vessels built and equipped in this country, that had gone out to prey on the commerce of the United States, it would then become a substantive question to ascertain whether there had been any want of due diligence on the part of the Government of this country. In the meantime it would seem to be useless to place so vague a question before an arbiter as whether this country was morally responsible for that which had been done during the war. Evidently that would be an entirely independent question. I know not in what manner any arbiter or Commission could proceed unless first to ascertain the facts of the case. Now, my Lords, I wish to make some observations on a very few cases concerning which there may be a complaint that armed vessels had been sent out to prey upon the commerce of the so-called Confederate States. One of the first of these cases was that of the *Florida.* She was equipped here, and afterwards obtained a commission at Mobile, a port belonging to the so-called Confederate States. The next case was that very remarkable one which has given rise to the greater part of this correspondence—that of the *Alabama.* Now, unless it be said that the Government are morally responsible for the mental illness of Sir John Harding, I do not know how we can be held blamable. According to the Opinion of the Law Officers of the Crown, there was not sufficient evidence upon which the Government could proceed to detain that vessel until the 24th of July. The Opinion of Sir Robert Collier, upon which the American Minister relied, was taken on the 23rd of July. If Sir John Harding had been in possession of his usual judgment upon that day, the Law Officers would have agreed upon an Opinion, and on the 25th the *Alabama* would have been detained. But, unfortunately, it so happened that the great excitement to which Sir John Harding had been subjected in the course of these questions unfitted his mind for giving an opinion on so important a matter, and therefore some little time was lost, and it was not until the morning of the 29th of July that the Foreign Office were in possession of the Opinion of the Law Officers. That Opinion would have been immediately acted upon, but on that day information was received that the *Alabama* had gone to sea upon a trial trip. Orders were immediately sent to Queenstown and also to Nassau with a view to the detention of the vessel; but I hold in my hand an account sent by the Consul of the United States at Liverpool to Mr. Adams, to the effect that she was not an armed vessel, and that after going, I think, to Beaumaris, she sailed round by the North of Ireland, and never stopped until she reached the Azores. There she obtained from another vessel her powder and stores. The *Alabama* was therefore not an armed vessel when leaving this country, and it was in the jurisdiction of another Sovereign that she received her armament. With regard to the question of neutrality, the policy of the United States may be said to be founded upon the conduct of the American President and Secretary of State in 1794. Until that time it had been held by writers on the Law of Nations that a neutral Power might take one of two courses — it might either allow arms and ammunition to be supplied to two belligerents impartially, or it might abstain from giving succour to either. The latter course was thought by Washington to be the safer and wiser. That course was followed by the United States in 1794, and the law remained in that condition until the wars broke out between the colonies of Spain and Portugal and the mother countries, when great complaints were made by the latter of the number of captures that had been made by the cruizers acting from the United States. I hold in my hand the complaint made on the 8th of March, 1818, by Senhor Correa de Serra to the United States Government, in which he said that three Portuguese ships had been captured by privateers fitted out in the United States, manned by American crews, and commanded by American captains, though under insurgent colours, and he demanded satisfaction and indemnification for the injury which had been done to Portuguese subjects, as well as for the insult which had been offered to the Portuguese flag. To this letter the American Secretary of State, after reciting the complaint of the Portuguese Minister, replies as follows:—

> "The Government of the United States having used all the means in its power to prevent the fitting out and arming of vessels in their ports to cruize against any nation with whom they are at peace, and having faithfully carried into execution the laws enacted to preserve inviolate the neutral and pacific obligations of this Union, cannot consider itself bound to indemnify individual foreigners for losses by capture over which the United States have neither control nor jurisdiction. For such events no nation can in principle, nor does in practice, hold itself responsible."

The United States, however, not only took measures to prosecute, but enacted a special law in order to maintain their neutrality more faithfully. The Act of 1818 having passed, it is alleged that those depredations ceased; but about a year and a half afterwards Senhor Correa, in a note of the 23rd of November, 1819, says—

> "I do justice to, and am grateful for, the proceedings of the Executive in order to put a stop to these depredations, but the evil is rather increasing. I can present to you, if required, a list of fifty Portuguese ships, almost all richly laden, some of them East Indiamen, which have been taken by these people during the period of full peace. This is not the whole loss we have sustained, this list comprehending only those captures of which I have received official complaints. The victims have been many more, besides violations of territory by landing and plundering ashore, with shocking circumstances. One city alone on this coast has armed twenty-six ships, which prey on our vitals; and a week ago three armed ships of this nature were in that port waiting for a favourable opportunity of sailing on a cruize."

Now, the Portuguese having suffered by the loss of many of their vessels, and the United States Government having stated that they had put the laws in force, and having assumed that they alone were to be the judges how their laws were to be carried into effect, Mr. Adams says he considers the case of the United States against Portugal "impregnable." They endeavoured to put their laws in force; but there was a great public feeling in favour of fitting out privateers against the Portuguese Government, and they were not able to prevent Americans — for the ships were manned and commanded by citizens of the United States—from carrying on such depredations. Then, I say, if that case be "impregnable," if the United States had no reason to make any indemnity, or to agree to any commission for the purpose of seeing whether the Portuguese owners should be indemnified, the case of Her Majesty's Government, which is similar to that of the United States in regard to Portugal, is equally impregnable. Your Lordships know what proceedings took place with regard to the *Alexandra.* A very long argument was carried on in the Court of Exchequer, and the reason why the case was not fully judged was owing to a very strange peculiarity in our mode of proceeding. Another matter of dispute was with regard to the rams that were built and fitted out at Birkenhead. There was great difficulty in getting legal evidence with respect to these vessels. We were informed, however, that these vessels were intended for the service of the Confederate States, and the question was whether, on my own responsibility, I should order their detention. The allegation made, on the other hand, was that these vessels were intended for the Pasha of Egypt. Thereupon I sent a telegram to our Consul General in Egypt, directing him to inquire of the Pasha whether these vessels were really building for him at Birkenhead? and I received an answer that the Pasha denied that he had given any such orders, and said that a proposal for a contract had been made to the former Pasha, but that he had refused to have anything to do with it. I then directed the Secretary of Embassy at Paris to make inquiry there of M. Bravay, with a view to ascertaining whether or not these vessels were intended for the Confederate States; and a contract was placed in his hands, by M. Bravay, according to which Captain Bullock, the agent of the Confederate States, was said to have transferred, for a certain sum of money, the possession of these vessels into his hands. I at length succeeded in ascertaining a fact which the Customs Department had previously been unable to ascertain—namely, that these vessels were clearly built for the Confederate States; and when I had once ascertained that, and that the Confederate Government had tried to secure themselves by selling the vessels to other parties, I thought that I was fully authorized to detain them, though I was advised that it was doubtful whether, when the case came to a trial, there was legal evidence against them. Still, it seemed to me that there was sufficient moral evidence that these vessels were intended to act against the blockading squadron of the United States; I therefore gave orders for the detention of these vessels. Now, I do not believe that I exceeded the law in so doing; but it was very possible that if the case had come on for trial it might have been found that we had not the legal evidence to secure a conviction. I was told even that, although I had in my own hands a copy of the contract to which I have just alluded, it would not be possible to produce it in a Court of Law in this country, the peculiarities of our law being such that it was necessary that the original contract should be produced. I know not how that may be; but I thought that possibly the peace of this kingdom was at stake, and that if these vessels went out to break the blockade instituted by the United States, an injury would be inflicted upon that Government which the United States probably would not pass over; and I therefore thought that, whether all the requirements of the law had been complied with or not, I should be right in ordering the seizure of these vessels. Mr. Adams continued to complain that we had not altered our law; but if we had altered it—if we had adopted the American law—we should not have been able to take the efficient measures which we did take. We might then have compelled them to forfeit a certain sum of money, but we should not have been able to seize and keep the vessels. We certainly incurred considerable risk, which, I think, we were bound to incur in order to maintain the peace of this country. The only other case I shall mention is a very important one, to which great weight should be attached—the case of the *Shenandoah.* The *Shenandoah* was a regular merchant vessel, and was sold by the person then the owner of it to some person who was engaged for the Confederates. It left this country without any arms, equipment, or furnishing whatever, other than those of a merchant ship; and it was not till a month afterwards that we heard it had arrived off the port of Funchal, and was being armed by other vessels. Now, it seems to me that this is a very important question, not only as regards the conduct of the Secretary of State for Foreign Affairs, but as regards our future legislation. There are two things we may very well do in order to preserve our neutrality. You may prevent troops from being drilled or recruited on your own soil with a view to enter the service of a belligerent Power. That you may do by the exercise of your authority. What you cannot do is to prevent individuals from going to a foreign country, as the Earl of Dundonald did, and engaging in the service of a belligerent. So likewise with regard to vessels. If a vessel is being armed, or fitted as a vessel of war, in one of your ports, you may give power—and I should be very glad to see such power given—to the Executive Government to detain that vessel upon the order of the Judge of the Admiralty Court, or of some competent authority, unless the Government is fully satisfied that the vessel is not intended for use against any State friendly to Her Majesty. That you can do. But, suppose that a vessel is simply a merchant vessel, that you have no information of the purpose for which she is destined, that no one has told you that the owner has got a secret engagement, how can you prevent that vessel from going to some far distant neutral port, and there being armed against some Power in amity with Her Majesty? I will put a case that might occur in the future, and that might have occurred some months ago. There was an apprehension at one time, and a very natural apprehension, that, on account of Luxemburg or some other cause, France and Prussia would engage in war. It was well known that the French naval forces were vastly superior to those of Prussia, and it was believed that, in a short time, the ports of Prussia and her allies would be blockaded. But what was to prevent the Prussian Government from entering into contract with a merchant at Amsterdam for the building of steam vessels of speed and strength in English ports on the Thames, the Clyde, and the Mersey, those steamers afterwards going to certain neutral ports without arms in order to meet other vessels furnished with arms and equipment? I submit to your Lordships and to the noble and learned Lord on the Woolsack, who is a Member of the Commission on the Neutrality Laws, that it would be carrying our neutral obligations to a very dangerous length if we were to say that, where an unarmed merchant vessel sailed to a foreign port and was there armed, the Power in whose ports she was built became responsible for any of her subsequent acts. I own it seems to me that we have already in spirit gone far enough in our Neutrality Laws. It would be a wise precaution to give greater power to the Executive Government over armed vessels, or vessels fitted out as vessels of war, attempting to leave our coast for belligerent purposes. But if we were by treaty or by law of the realm to impose such further obligations as I have just mentioned, and if we, as a shipbuilding country, engaged to stop unarmed vessels from leaving our coast, that would be a dangerous obligation into which Her Majesty's Government ought not to enter. Another suggestion has been made with regard to the *Alabama* claims and our differences with America. It is understood to have been made by Mr. Seward—namely, that every other question with regard to which we have had controversies with the United States as to the meaning of treaties and the occupation of territory should be considered at the same time, and that we should come, if possible, to some general agreement on all these points. I believe that to be a very wise and practicable suggestion, and at all events we should endeavour to settle all these matters. My Lords, I will now ask the noble and learned Lord how soon the Report of the Neutrality Commission will be laid on the table?

THE LORD CHANCELLOR: I shall endeavour, in the first place, to answer the Question which the noble Earl has put to me. This time last year, as the noble Earl has stated, a Royal Commission was appointed to inquire into and consider the character, working, and effect of the Laws of this Realm available for the enforcement of Neutrality during the existence of hostilities in other States with whom Her Majesty is at peace; and further to report what, if any, change ought to be made to give them increased efficiency and bring them into full conformity with Her Majesty's International obligations. That Commission was composed, among others, of a Member of your Lordships' House—Lord Houghton; Dr. Lushington (the late Judge of the Admiralty Court); Sir William Erle, Mr. Baron Bramwell, Sir R. Phillimore, Sir Roundell Palmer, the present Queen's Advocate, Sir Travers Twiss; Mr. Vernon Harcourt, Mr. Baring, Mr. Gregory, and Mr. Forster. I also had the honour of serving upon it, and we had the great advantage of being presided over in our deliberations by the sagacity and experience of another Member of your Lordships' House—Lord Cranworth. I think your Lordships will be of opinion that this Commission has not lost any time. It was appointed just a year ago; and it was composed of members whose occupations in other respects were very pressing. Notwithstanding that, we have held something like twenty-five meetings, and I am happy to say we have agreed—I think I may say unanimously—upon our Report. It is on the point of being presented to Her Majesty, and after that no doubt it will be laid in the usual way before your Lordships. As to the views of that Commission, it would be obviously improper for me to say a word. I may, however, express a hope that when the recommendations of that Commission are known, if it should be the pleasure of Parliament to adopt them in the shape of legislation, I trust that many, if not all, the difficulties and embarrassments which have arisen in times past may easily for the future be avoided. The other question put by the noble Earl is as to any Correspondence which may have taken place between Her Majesty's Government and the Government of the United States in reference to the *Alabama* and other claims. There is no Correspondence subsequent to that which has been already laid before Parliament by my noble Friend the Secretary of State. Beyond this I hope the noble Earl will not consider I am wanting in any courtesy or respect for him if I decline to follow him into the somewhat large and difficult field upon which he has entered. I feel quite satisfied—as I am sure your Lordships do—that when the noble Earl, who was at the head of the Foreign Office, felt it to be his duty to decline the arbitration for the settlement of these claims proposed by the United States, he acted from a high sense of public duty. I think you will be of opinion that, in the progress of public sentiment upon this subject, and as time went on and public prejudice and passion much abated, my noble Friend the present Secretary of State for Foreign Affairs did that which was eminently desirable for the maintenance of good relations between this country and the United States when he consented, or proposed, to refer to arbitration the question of these claims. If I rightly understand the noble Earl, the objections or doubts which he suggested as to arbitration of that kind were really only two. The noble Earl, as I understood him, said that the case upon our side as regards these claims was an extremely clear one; and that we were not chargeable in any way or manner in which the Government of the United States contended we were chargeable. It is no reason for declining arbitration that you have an extremely good case to submit to the arbitrators. On the contrary, I think that would be rather a reason why we should not shrink from having the case alleged against us referred to a tribunal of that kind. The other objection which the noble Earl mentioned was this—he said there was a controversy on a matter of fact at the very commencement of the claim which was made by the American Government. The noble Earl stated very accurately that Mr. Adams had contended that armed ships had left the ports of this country; whereas Lord Clarendon had taken issue on that point, and had denied that any ships which could be properly so described had left the ports of this country. Questions of fact are just as necessary to be referred to arbitration as questions of law. I should desire to know how a question of fact of that kind, asserted on one side and disputed on the other, is to be determined, unless you are able to evoke the aid of some independent arbiter or tribunal, who will decide the fact as well as he will decide the law. I think, therefore, none of these grounds could afford any reason why we should decline arbitration. I do not desire to say more with regard to the state of the negotiations than to remind your Lordships exactly how they now stand. As the noble Lord the Secretary of State said elsewhere, we have now conceded that which, in the first instance, the American Government required—that is to say, that there shall be arbitration as to the liability of the Government of this country with regard to the claims in question. But beyond that, and since that concession on our part, the American Government, through their Foreign Minister, have made a further demand, and they require now not merely that we shall refer to the arbitrator whether this country is liable in respect of these claims; but also that it shall be referred to the arbitrator, as a matter to be decided, whether this country acted properly or improperly in recognizing the seceding Southern States as belligerents at the time this country so recognized them. In answer to that demand, the argument of my noble Friend has been so simple, and I venture to say so conclusive, that in a very few sentences I will remind your Lordships of it. My noble Friend contended, in the first place, that that question is altogether irrelevant to the claims arising out of the case of the *Alabama* and of other ships, and irrelevant for this reason: it has never been disputed on either side that there was a time at which, beyond all doubt, the recognition of the Southern States as belligerents must have been proper and necessary on the part of this country. If we take that time — it matters little whether it be a month sooner or later—about the month of July, or the date of the battle of Bull's Run, then it would be many months before the time at which the *Alabama* left this country, which happened in the April following. In the next place, my noble Friend has contended that, according to the principles of International Law, according to all authorities on International Law, according to the authorities recognized by the United States Government itself, the question whether a neutral Power shall, at any particular time, recognize a state of war between two Powers which are actually at war, is a matter entirely to be decided by the neutral Power itself; and that there are no data upon which any arbitrator or independent tribunal can be called upon to pronounce whether the recognition was proper or was improper. In the third place, my noble Friend has contended—and this, perhaps, will be quite sufficient even if there were no other argument in the case — that before the Government of this country recognized the Southern States as belligerents, the Government of the United States itself had recognized the Southern States in that capacity, by declaring the blockade of their ports, which could be declared only upon the footing that a state of war existed. My noble Friend has pointed out that if the question were to be re-opened it would go further than the United States has proposed, because it would entitle us to claim compensation for all captures made by the United States Government of ships that were breaking the blockade. That is the stage at which the negotiations — I hope only for the present—have come to a halt. The noble Earl referred, in words which I am sure would find a response in the minds of all your Lordships, to the character, great eminence, and ability of the distinguished statesman who has been so long the Minister to this country of the United States, and whose departure from this country in that capacity we all, I am sure, extremely regret. I could not help being much struck by some observations made by that very eminent person a few days ago. Speaking on the subject which has now occupied your Lordships' attention, Mr. Adams is reported to have said—

> "The sum of all true diplomacy is to be found in the Christian maxim of doing to your neighbour that which you would he should do to you; and where the will is good a way of arrangement is sure ultimately to be found."

My Lords, I think we have shown substantially that our will for the adjustment of this difficulty is good. I am willing to take according to the letter what Mr. Adams states of the will and inclination of the American Government. It will be strange, indeed, my Lords, if with that state of mind on both sides, an arrangement of this difficulty does not before long present itself.

LORD WESTBURY wished to offer a few observations, which, he said, would be elicited by the regret he felt that these negotiations for arbitration had been suspended for a time. He thought they were suspended under some misapprehension of the nature of the claim intended to be brought forward by the United States. It was extremely desirable to ascertain with accuracy what ought to be the condition of the arbitration. In the discussion of this matter we often heard the phrases "International Law" and "breach of International Law." No word could be more inappropriate to express the mutual obligations between nations of equal rank and power than the word "law," for there was no law whatever. There was no sanction or any power of this country judicially to inflict punishment for breaches of the so-called law. There were, however, certain rules which had been agreed to by civilized nations, and which derived their authority and force merely from the consents of their Governments, but that was by no means law. Throughout the whole of these discussions false notions were incidentally suggested by the use of the phrase "International Law." There was one rule of conduct which undoubtedly civilized nations had mutually agreed to observe, and it was that the territory of a neutral should not be the basis of military operations by one of two belligerents against the other. In speaking of the base of operations he must to a certain degree differ from the noble Earl. It was not a question whether armed ships had actually left our shores; but it was a question whether ships, with a view to war, had been built in our ports by one of two belligerents. They need not have been armed; but if they had been laid down and built with a view to warlike operations by one of two belligerents, and this was knowingly permitted to be done by a neutral

Power, it was unquestionably a breach of neutrality. Now, what was the obligation of a neutral Power? Its obligation could be no more than that it should use the laws and institutions of its own country in order to prevent a breach of its neutrality. It could not be called upon to do any more. If there were any grounds of complaint it ought to be shown that the neutral had by its own laws and institutions the power to prevent the subject of that complaint. This was the doctrine laid down by the United States in their disputes with Portugal. They alleged that they had, *bonâ fide* and with sincerity, used their own laws and institutions to the utmost in order to prevent any breach of their neutrality. Indeed, the animus with which the neutral Powers acted was the only true criterion. The neutral Power might be mistaken; it might omit to do something which ought to be done, or direct something to be done which ought not to be done; but the question was whether, from beginning to end, it had acted with sincerity and with a real desire to promote and preserve a spirit of neutrality? A neutral could never be required to do more. Possibly, one nation might have a right to make domiciliary visits, and to search for and take possession of papers; but a country having that power could not complain of a country which did not possess it, for not using such means of discovering whether or not a breach of neutrality was meditated. He wished these observations to be applied to the demands made by Mr. Seward, and the manner in which they had been met by the noble Lord the Secretary of State for Foreign Affairs. The ultimate issue of the Correspondence—if he correctly understood his noble and learned Friend on the Woolsack—was this:—Mr. Seward said, "I will insist in the reference that you did wrong, and that you acted injudiciously and without proper information in recognizing the Confederate States as a belligerent Power." Now, it was quite preposterous to suppose that Mr. Seward meant to contradict himself. The object of the reference was to obtain compensation for breaches of our neutrality; but when Mr. Seward issued his own proclamation there had unquestionably been attempts to break the blockade on the part of the merchant vessels. Mr. Seward could therefore never say that he claimed compensation in respect of our proclamation of neutrality, involving, as it did, a recognition of the Confederate States as belligerents; but what

he meant was this—he said in effect:—"Whether you were a sincere and loyal neutral is the question in dispute, and that must be judged from a view of the whole of your conduct. I do not mean to put it merely upon the particular transaction relative to the *Alabama.* I insist upon it in that case undoubtedly; but I contend that from beginning to end you had an undue preference and predilection for the Confederate States; that you were, therefore, not loyal in your neutrality; and I appeal to the precipitancy with which you issued your Proclamation, thereby involving a recognition of the Confederate States as a belligerent Power, as a proof of your insincerity and want of impartial attention." And now could we prevent him from using that document for such a purpose? How unreasonable it was to say, "When you go into arbitration you shall not use a particular document, even as an argument upon the question whether there was sincere neutrality or not." He (Lord Westbury) should very much regret if the negotiations were broken off on a misapprehension of the meaning and intent of the American Government, and if that which was most necessary for the peace of mankind—the security of peace with the United States—was perilled by any such misapprehension. A favourite notion had always been entertained in the United States that the late war was not a civil war, but a revolt or rebellion, and very probably the United States committed a blunder in proclaiming the blockade. It was quite competent for them to have issued a proclamation prohibiting intercourse with the ports of the States whom they alleged to be in a state of revolt; but the effect of such a proclamation would simply have been that if a foreign ship had attempted to enter one of those ports, the United States vessels could not have captured and condemned her, but could only have obstructed her progress and turned her away. Instead of adopting such a course, however, Mr. Seward issued a proclamation of blockade, and by that proclamation necessarily placed the Confederate States in the position of belligerents, and all the other countries in the world in a position of neutrality. Mr. Seward, indeed, admitted this; but complained of a breach of neutrality, and held that that must depend, not upon single transactions, but upon the inferences to be derived from the whole of our conduct. Now, suppose the case of the *Alabama* were being argued before an arbitrator, his noble Friend (Earl Russell) might say, "Why, the *Alabama* was permitted to escape simply by an accident, over which I had no control; and you ought not to judge of my conduct by one accidental default, but by the spirit I manifested when I seized the *Alexandra* and the rams, and placed myself in peril from the Conservative Opposition, which nearly brought the Government into a minority." Now, if it would be reasonable for his noble Friend to use that topic, derived from the general conduct of the English Government, as touching the particular case of the *Alabama*, surely it was equally reasonable for Mr. Seward to apply his argument to any particular fact connected with the conduct of this country, and to draw from it the opposite conclusion as to the sincerity of our neutrality. While, therefore, he (Lord Westbury) cordially concurred in all that had been done by the noble Lord at the head of the Foreign Office, he regretted that the noble Lord should have taken one matter up from a mistaken point of view, and should have supposed that Mr. Seward intended to make a demand for pecuniary damages in respect of our Proclamation, instead of using it as a special argument in support of his claim for damages in other particulars. He deeply lamented that the negotiations should have terminated upon that misconception. One point had arisen in the course of the debate to which it was proper to refer — namely, the desirability of effecting an alteration in the existing law. In his opinion no alteration of the law would be effectual unless it extended to this—that no armed vessel, and no vessel obviously built for warlike purposes by any private individual in this country, should be permitted to leave our harbours unless upon security, or upon the fact being clearly ascertained, that she was *bonâ fide* the property of some other Power not being a belligerent. In conclusion, he would say that he had only desired for a moment to point out the view of the case which he trusted would be considered by the noble Lord at the head of the Foreign Office, and to express his hope that the negotiations for an arbitration would be resumed, and would shortly be brought to the condition of a final reference.

THE LORD CHANCELLOR said, he wished to correct two errors into which his noble and learned Friend (Lord Westbury) had inadvertently fallen, and which, if left unnoticed, might lead to misunderstanding elsewhere. His noble and learned Friend had placed a very ingenious construction upon the demand made by the United States Government through Mr. Seward. All he could say was that the explanation of that demand which his noble and learned Friend had given had never been given by Mr. Seward himself; and he thought, for this very good reason, that if all that was desired was that the premature recognition, as it was called, of the state of belligerency should be made a topic before the arbitrator, or a matter of evidence going to support the claim raised in other respects, that was not a thing to be stipulated for beforehand; it was a question for the arbitrator. The arbitrator would be the judge of what evidence was relevant and what was not. It was for the arbitrator to decide what evidence he would admit; and it was, he thought, a thing unheard of that a reference to arbitration should contain a definition of the evidence to be adduced before the arbitrator. The other error which he desired to correct was this:—His noble and learned Friend had spoken of the negotiations as having been broken off. The exact point at which they stood was this. Mr. Seward's last communication contained a proposal, couched in somewhat general terms, that there should be a Commission to inquire into all claims. Upon that his noble Friend the Foreign Secretary requested Mr. Seward to develop more accurately what he designed or aimed at by such a Commission; and the negotiations, he thought, were at present waiting for a communication from Mr. Seward on that score.

LORD WESTBURY explained. What he had said was this, that in the last despatch of the Foreign Secretary he stipulated that all question of precipitancy should be excluded from the consideration of the arbitrator. If that were so, it could not be admitted either as a matter of evidence, or as a general topic.

EARL RUSSELL was also understood to explain that he had not objected to the Foreign Secretary having assented to arbitration; but to his having assented to an arbitration that was so vague.

Motion (by Leave of the House) *withdrawn.*

House adjourned at Seven o'clock,
till To-morrow, Twelve o'clock.

# HOUSE OF COMMONS,

*Friday, March* 27, 1868.

MINUTES.]—New Member Sworn—Samuel Carter, esquire, *for* Coventry.

Select Committee—On Scientific Instruction *nominated;* on Extradition *nominated.*

Supply—*considered in Committee*—Army Estimates.

*Resolutions* [March 26] *reported.*

Public Bills—*Resolutions in Committee*—Land Writs Registration (Scotland) [Salaries, &c.]; Election Petitions and Corrupt Practices at Elections [Salaries, &c.]; Industrial Schools (Ireland) [Expenses].

*Third Reading*--Consolidated Fund (£6,000,000)*; London Coal and Wine Duties Continuance* [43], and *passed.*

## PRIVATE BILL LEGISLATION.

### PERSONAL EXPLANATION.

Mr. STEPHEN CAVE said: It is with great regret that I feel myself obliged, for the first time since I have had a seat in this House, to intrude myself on the House with regard to a personal matter. It will be in the recollection of many hon. Members that on Tuesday last I made a few remarks on the amalgamation of railways, in discussing the Resolutions of the Chairman of Committees with reference to competition. No exception was taken to those remarks by any Member of the House; but it has been reported to me that, on the following morning, the hon. Baronet the Member for the Flint boroughs (Sir John Hanmer), who is Chairman of the Committee on a group of Railway Bills, among which is the Amalgamation Bill of the Brighton and other railways, publicly made use of the following expressions in the Committee-room:—

> "A matter has happened in the House which I think extremely improper. It happened at five o'clock, when the House was dead sick of private business, and therefore, although it was my business to answer the Vice President of the Board of Trade, I did not do so. The Vice President of the Board of Trade, in my opinion, gave a most improper expression of opinion upon the subject of a question now pending before this Committee, which he had no business to do, even if he had been a private Member, still less an official Member. Speaking on the question of competition, he expressed his opinion against the monopoly of railways. This was a question which was legitimately before the House; but he said there was another monopoly—that is to say, these amalgamations—and he said there was a gigantic scheme. His observations went to show that it was a very prejudicial thing, that it was now pending—and so on. He had no business to express that opinion."

There was more to the same effect, with which, after what has since passed, I will not trouble the House. Now, Sir, these are very strong expressions, especially from one sitting in a judicial capacity, and I cannot deny that they have given me great pain; but the hon. Baronet has assured me privately—and he will no doubt repeat it publicly—that he had no intention of saying anything personally offensive to myself, and that he is willing, as far as expressions go, to withdraw everything that has such an appearance. I cannot hesitate to accept this assurance, and to dismiss so much of the subject altogether from my mind. I cannot, however, help thinking it unfortunate that the hon. Baronet did not express his opinion in the House before those in whose minds what I had said was fresh, instead of doing so on the following day to a mixed audience in my absence—when I was, of course, unable to justify myself or to offer any explanations. I do not, however, wish to dwell upon this point. But as the hon. Baronet has told me, as frankly as he withdrew the form of his charge against me, that he adheres to the substance of it—which is, after all, the most serious part of the question—it is incumbent on me to clear myself if I can from these imputations, which, if deserved, would prove me unfit for the office I hold, and even for a seat in this House. Several months ago my attention was officially directed to the effect of railway amalgamations. Complaints reached the office from various quarters of increased charges and diminished accommodation, and it was suggested that the Board of Trade, which has no power of active interference in these matters, would not be doing its duty if it did not warn Parliament that monopoly was rapidly replacing competition, and that it behoved the House, in which the power really was, to take care that the public did not suffer by the change. Having spoken to the Chairman of Committees, the right hon. Gentleman the Member for the City of London (Mr. Goschen), and other Members, who all concurred in this view, I proposed to take advantage of the Resolutions on Competition of my hon. Friend the Chairman of Committees (Mr. Dodson), and to go somewhat into the details of Bills of this Session. But, unfortunately, the discussion of these Resolutions was delayed until some of the Bills were before Committees. I then felt that it would be scarcely right to refer to the details of these measures, and therefore confined my remarks to the general question, carefully avoiding any observation on the merits of particular schemes. I will read the only passage which can have reference to the Bill before the hon. Baronet's Committee—

> "This year the number of Bills was only fifteen, but among them was a gigantic scheme affecting a large district in the South of England."

This is absolutely all; and so guarded was I that I mentioned no name, and, as it happens, there is another scheme to which the description would apply, though I will not deny that the first was in my mind. The rest of my speech has reference to the general question, and even there I do not express myself against amalgamations; but that regulations for periodical future revision should be framed, and that certain Standing Orders should be amended, which could not, of course, affect Bills now in Committee. The House was full. The noble Chairman of the Standing Orders Committee followed me. The Member for Stockport (Mr. Watkin) spoke. The Member for Wick (Mr. Laing) was present; both always ready and watchful, and both interested; but it did not apparently occur to them, or to any one else, that I had the absurd intention of biassing the Committee. And I presume the House will not accept the doctrine, for it really comes to this—that Members are to be debarred from discussing general subjects, because the arguments may bear indirectly on some private Bill. Sir, this is the tenth year in which I have had the honour of a seat in this House, during that period I have frequently taken part in the business of Parliament. Up to this moment no exception has ever been taken to the propriety of a single syllable I have uttered in this House; and I confidently hope that the House will acquit me of having deserved it on this occasion.

SIR JOHN HANMER: In the first place, I beg leave to express the satisfaction which it gives me—as it would to any other Gentleman—to make any amends to the right hon. Gentleman for anything in which he may have thought that I conducted myself to him with less courtesy than he deserved. It is only justice to myself to state that, the very moment I learnt that objection had been taken by him to my remarks, I sought him out and stated, what he has very correctly repeated, that, if there was anything in the form of what I said which was offensive or hurtful to his feelings, it would give me pleasure and satisfaction to withdraw it—I should do so most heartily and readily—but, at the same time, if I were asked whether I adhered to the opinion I had expressed? I said I do adhere to it, and there is no reason why I should not do so. I do adhere to it in the plainest and most direct manner, and I am prepared to defend everything I said, barring the form, and anything that may have offended him. It so happened that the other afternoon there was a long debate in the House on the question raised by the hon. Gentleman the Chairman of Committees. The House was tired and impatient on the subject—so impatient that it would not listen to what the noble Lord the Member for the East Riding (Lord Hotham) wished to say; who, of all others, had the best right to be heard on such a subject. For me, therefore, to get up at a time when the House was necessarily anxious to proceed to other business of great importance would have been perfectly futile. Besides, I did not happen to be sitting in the line of sight, and your eye, Sir, would naturally have fallen on some other Member. But I had a reason for what I did say next day before the Committee of which I happened to be Chairman. That Committee has got before it a most perplexed, troublesome, difficult, and arduous question. The difficulty of it may be estimated when I say that I was credibly informed yesterday that, notwithstanding all the pains I have taken, with the assistance of the Referee, to keep the proceedings within due bounds, the inquiry cost the moderate rate of three and a half guineas a minute. I, hoping to save expense, had suggested to one of the counsel who appeared before me the day before, that I thought he need not call witnesses from other systems of united railways, because really the Committee were perfectly aware of everything that could be said on the subject. But I said so-and-so took place the night before in the House of Commons; such-and-such doctrines were, according to my understanding of them, expressed by the right hon. Gentleman the Vice-President of the Board of Trade, and therefore it may be for you now to consider whether you will or no be content with the evidence as it stands, or call other witnesses. That was my sole reason for saying what I did, and I had no wish to cavil at what had fallen from the right hon. Gentleman. At the same time I do fairly own I did feel very greatly aggrieved by the right hon. Gentleman's speech, and he will pardon me when I say he has not altogether recollected the whole of it. A sentence has been omitted that had a very great bearing upon the question. I have been a Member of this House for a very great number of years; and certainly, for a long time while I was a Member, whenever a question was sent to a Committee upstairs it was considered exceedingly wrong in any private Member to allude to it in any way, still more for any official Member to do so. I can remember the time when official Members always left the House when there was any question pending about the private business. But of all official Members, for the Vice-President of the Board of Trade to express an opinion when a question was pending before a Committee which might prejudice the decision of that Committee—he, I think, is about the last Gentleman that should do so. But I express that opinion with the greatest courtesy to the right hon. Gentleman. We agree to differ. He holds one opinion; I hold another. The right hon. Gentleman certainly did perplex and trouble my waters very much indeed. We have a very difficult question to decide, and whichever way we decide it I feel very little doubt that something more will be heard about it when the Report is made. When the Report is brought up, if the right hon. Gentleman thinks fit to object to the Bill in its reported state, well and good; he will then have a proper opportunity of doing so; but I do not think that the time he selected to call in question the matters before the Committee was the right time for doing so. The right hon. Gentleman said that he objected to railway monopoly. Now, upon the subject of railway monopoly, which had been discussed for a long time before, I could have said a great deal; but not wishing to inflict my speeches upon the House unnecessarily, I said nothing about it. But the right hon. Gentleman went on to say that, while he objected to monopoly as far as it rested upon competition, there was another kind of monopoly which arose out of amalgamation, and that he had no objection on principle to amalgamation. But, after having declared that, the right hon. Gentleman went to say that there was a gigantic scheme of amalgamation going forward in the South of England, and his speech certainly led us to believe that he objected to that scheme. But why and upon what principle did he object to it? He had said just before that he did not object to the principle of amalgamation, and therefore he could not object to the scheme upon that ground.

Mr. STEPHEN CAVE: My statement with regard to amalgamation followed what I said with regard to this scheme.

Sir JOHN HANMER: Well, it all comes to the same end. At all events, the right hon. Gentleman uttered the words before I did. I thought that the right hon. Gentleman, who is connected by representation with that part of England, was arguing the matter upon some particular and local ground, which I thought he ought not to have done; and for the reasons I have given, I told the counsel before the Committee what I did the next morning. That is the long and the short of it. I willingly withdraw any expression that may have hurt the right hon. Gentleman; still I may, as I must, think that he selected the wrong time for making a statement upon this subject.

## ESTABLISHED CHURCH (IRELAND).

### NOTICE OF AMENDMENT.

Lord STANLEY: I beg to give Notice that, on Monday next, on the Motion for going into Committee upon the Irish Church Establishment, I shall move an Amendment in the following words:—

> "That this House, while admitting that considerable modifications in the Temporalities of the United Church in Ireland may, after the pending inquiry, appear to be expedient, is of opinion that any proposition tending to the disestablishment or the disendowment of that Church ought to be reserved for the decision of a new Parliament."

Mr. GLADSTONE: In order that there may be no misapprehension upon this most important subject, I wish to know whether I am correct in understanding the noble Lord to say that he will make his Motion in the form of an Amendment in Committee; or, whether he intends to move it as an Amendment upon the Motion "That the Speaker do now leave the Chair," or, to speak more accurately, upon the Motion "That this House do immediately resolve itself into a Committee."

Lord STANLEY: I shall move it as an Amendment upon the Motion, "That the House do immediately resolve itself into a Committee."

## THE PARIS EXHIBITION.—QUESTION.

Mr. BAYLEY POTTER said, he wished to ask the Vice President of the Privy Council, Whether he is willing to give a Return of all sums expended on account of the Paris Exhibition, and the names and offices held by the persons receiving such sums?

Lord ROBERT MONTAGU said, the Returns would be laid on the table of the House shortly.

### METROPOLIS—DEPTFORD CREEK OUTFALLS.—QUESTION.

Mr. Alderman SALOMONS said, he would beg to ask the Secretary of State for the Home Department, If he is aware of the intention of the Metropolitan Board of Works to open new Sewer Outfalls into Deptford Creek, in opposition to the remonstrances of the Officer of Health of the district, who considers the proposed works dangerous to the health of the neighbourhood; and, if such Outfall is not a contravention of the spirit of the Main Drainage Act?

Mr. GATHORNE HARDY said, in reply, that he was informed by the Board of Works that they had already a sewer outfall from the Southern High and Middle Level Sewers, which only acted in very heavy storms. They proposed to construct a storm overflow from the low level sewers that would only operate when there were very heavy floods, and the sewers had been completely washed clean. No decision would be arrived at upon the subject until after next Saturday. In the event of the outfalls being made, they would occasion no inconvenience, and would not in any way controvert the terms of the Act.

### SCOTLAND—ROADS.—QUESTION.

Mr. WALDEGRAVE-LESLIE said, he wished to ask the Lord Advocate, Whether he purposes bringing in any general Road Bill for Scotland during the present Session?

The LORD ADVOCATE, in reply, said, a general Road Bill for Scotland would affect so many complicated interests, and give rise to so much difference of feeling and opinion, that it was not his intention to introduce such a measure in the present Session.

### IRELAND—THE RIVER SHANNON. QUESTION.

Colonel FRENCH said, he wished to ask the Chief Secretary for Ireland, When the Fish Passes on the weirs on the River Shannon, so long promised, are to be built by the Board of Works?

The Earl of MAYO replied that he understood that the Fisheries Commission had recommended the works to be executed; and that, in all probability, those recommendations would shortly be carried out by the Board of Works.

### ARMY—COMMISSIONS.—QUESTION.

Sir THOMAS LLOYD said, he would beg to ask the Secretary of State for War, Whether the authorities of the Horse Guards and War Office consider the refusal by a minor to pay the full amount of a loan, contracted at an extravagant rate of interest during his minority, a sufficient reason for refusing a Commission in the Army?

Sir JOHN PAKINGTON, in reply, said, the Question of the hon. Member was a very general one, and he was not aware whether it was intended to apply to any particular case. The only answer he could give to the inquiry was that the power of determining any such case as that put by the hon. Member would rest entirely with the Commander-in-Chief.

### POST OFFICE—THE SOUTHERN DISTRICT.—QUESTION.

Mr. LOCKE said, he wished to ask the Secretary to the Treasury, Whether he has received any information of the intended abolition of the Southern District Post Office; whether such abolition will not considerably lessen the number of deliveries over the district; and, whether the inhabitants have received any notice thereof; and, if so, when?

Mr. SCLATER-BOOTH said, in reply, that it was intended to abolish the Southern Postal District as a separate district, one portion of it being transferred to the South-Western district, and the remainder to the South-Eastern, by which change a saving of £2,000 per annum would be effected in the management. In reply to the second part of the hon. Member's Question, he had to state that the proposed abolition would not lessen the number of deliveries in the district, except in the neighbourhood of Kennington, where the number of daily deliveries would be reduced from twelve to eight, and the number of collections from twelve to nine, as was the case in districts similarly situated such as Kensington and Brompton. In reply to the third part of the Question, he had to state that the inhabitants of that part of the district which was to be transferred to the South-Western district had received notice of the proposed change last month, and those residing in the remainder of the district were now being served with a similar notice.

## REPRESENTATION OF BRISTOL.

### QUESTION.

Mr. NEVILLE-GRENVILLE said, he would beg to ask the hon. Member for Cambridge, Whether he intends to bring before the notice of this House a Petition presented by him, from nearly 7,000 inhabitants of the city and county of Bristol, praying the House to declare one of the Seats vacant, and for the issue of a new Writ?

Mr. POWELL: Sir, having carefully considered, so far as I am able to do, the circumstances of this case; and having the fullest confidence that the hon. Member referred to in the Question will act under a due sense of his heavy responsibility towards the constituency which returned him to Parliament, under the full assurance that he was and would continue to be capable of sitting and voting in this House, I do not propose to ask the House to refer the subject-matter of this petition to a Committee; but I hope I may be allowed to add, by way of a more complete answer to this Question, this remark—that if an hon. Member who is proved to be a bankrupt does sit and vote in the House of Commons, then a state of affairs has arisen which is clearly provided for by the Statutes of the Realm and the established usage of Parliament.

## WAR IN BRAZIL.—QUESTION.

Mr. HORSMAN said, he would beg to ask the Secretary of State for Foreign Affairs, Whether Her Majesty's Government will alone, or in concert with the Government of the United States, have made or intend to make any endeavours to bring about a peaceable settlement of the war between Brazil and its allies and the State of Paraguay?

Lord STANLEY: Sir, Her Majesty's Government sincerely regret the continuance of this war between Brazil and her allies on the one side, and Paraguay on the other. We believe that it is even more useless and more purposeless than wars generally are; and we cannot but see that it is inflicting enormous injury upon all the countries engaged in it. At the same time I doubt the expediency, as a general rule, of offering mediation when it is not asked for; and I do not think that mediation would, if offered at the present time, be likely to be accepted. But if, at any time, the mediation of Her Majesty's Government should be desired, or should have any reasonable prospect of success, we should almost, as a matter of course, do what is in our power to bring about a reconciliation, and we should be equally prepared to do that either acting singly or in concert with any Power that may be inclined to help us.

## ARMY—TROOPS IN THE MAURITIUS.

### QUESTION.

Mr. OTWAY said, he would beg to ask the Secretary of State for War, a Question with regard to an Answer which he had given two or three days since. The right hon. Gentleman, in aswer to a Question as to, whether steps would be taken to remove a Regiment stationed at Mauritius during the prevalence of the epidemic at present raging in that island, was reported as having said that the removal was a question entirely for the decision of the Commander-in-Chief. He desired to know whether the right hon. Gentleman had so expressed himself, and whether he adopted those views?

Sir JOHN PAKINGTON said, that the report of the portion of the Answer referred to by the hon. Gentleman was not accurate. What he (Sir John Pakington) had stated was that the Commander-in-Chief had sent out orders for a very strict inquiry into the circumstances under which the regiment had been permitted to land, considering the state of the health of the island. But, with reference to the subject more particularly referred to by the hon. Gentleman, he stated that he himself had sent out orders last year, giving full power and discretion to the Officer in command to remove the troops whenever in his judgment the health of the Island should render such a step advisable, and to prevent mistakes he had repeated those orders and again sent them out.

## SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

## COMPULSORY PILOTAGE.

### RESOLUTION.

Mr. CANDLISH : Sir, although the Question which I propose to bring before the notice of the House is not one to excite any very general interest, it is, nevertheless, a question of no small importance. It affects and stands in connection with all our sailors, numbering hundreds of thousands, and with the whole of our population travelling by sea, numbering millions. The registered tonnage of the United Kingdom in the year 1866 amounted to 5,692,010 tons; the value of our exports and imports for the same period was £534,000,000 ; and the entries and clearances at the Custom House, in our foreign trade, were about 31,000,000 tons, and in our coasting trade a similar amount. All those persons and all those interests—those sailors and travellers by sea; owners of vessels and owners of goods exported and imported—are all materially affected by the condition of our pilotage laws; and, if the House will favour me with its attention for a few minutes, I think I shall be able to show that it is expedient—nay, that it is pressingly necessary—that these laws should be altered and improved forthwith. At present there are about fifty or sixty pilotage authorities existing around the coast of the United Kingdom; that is to say, pilotage authorities, all of whom possess some amount, more or less, of legislative power; and the laws which are in operation in the several districts are very nearly as various as the districts are numerous. From perfectly free and voluntary pilotage—in other words, between places where the captains and owners of ships have it in their discretion either to accept or reject the pilot's services, to other places where it is pretty nearly altogether compulsory—all intermediate conditions prevail. This want of uniformity—this variety in the laws of the country governing the pilotage system around our coast—is productive of the greatest possible inconvenience, and the anomalies which result from this variation of law are most embarrassing to the Mercantile Marine and shipping generally of this country, but more particularly so within the limits of the jurisdiction of the Deptford Trinity House, which is the great authority on pilotage. That body governs the river Thames and all the approaches to it, north and south. It governs besides not a few of our outports; and the general principle which lies at the basis of its government is that vessels navigating its waters must have a pilot on board, and be navigated under the authority and by the direction of a pilot. But it so happens that exceptions to this first principle are pretty nearly as numerous as the cases to which the principle itself is applied. The Merchant Shipping Act passed in 1854 is a consolidating Act. It sets out the exemptions from compulsory pilotage, and, with the permission of the House, I will read them. Section 379 says—

> "The following Ships, when not carrying Passengers, shall be exempted from compulsory pilotage in the London district and in the Trinity House Outport districts ; that is to say—1. Ships employed in the Coasting Trade of the United Kingdom. 2. Ships of not more than 60 tons burthen. 3. Ships trading to Boulogne, or to any place in Europe north of Boulogne. 4. Ships from Guernsey, Jersey, Alderney, Sark, or Man, which are wholly laden with stone, being the produce of those islands. 5. Ships navigating within the limits of the port to which they belong. 6. Ships passing through the limits of any Pilotage district on their voyages between two places, both situate out of such limits, and not being bound to any place within such limits, nor anchoring therein."

Now, the anomalies and absurdities which result from these exemptions are almost incredible; and, in my opinion, are discreditable to the legislation of this House. These exemptions were secured by this Act purposely, as I apprehend, to restrain the further action of the compulsory system of pilotage ; the policy of the Parliament of 1854 being to restrain compulsory pilotage as much as may be, and henceforth to perpetuate all the pilotage which, up to that time, had been voluntary. Just let me show the House the anomalies which result from the first exemption set out in this clause, "Ships employed in the Coasting Trade of the United Kingdom," by reference to an example. A small vessel, say of 61 tons burthen, coming through the Downs from a port on the coast of France or Spain, is subjected to compulsory pilotage, and must take a pilot; while a large ship of 300 or 600 tons, or any larger size, and whatever her value, coming from an English port—say, on the South coast, or from Swansea or Bristol—and navigating the same waters as the 61-ton ship, notwithstanding her increased size and value; and the greater necessity for additional precautions in navigating her, is exempted from compulsory pilotage, and may take a pilot or not, as her commander may think most expedient. With the permission of the House, I will quote an authority well known to Members of this House—a Gentleman who was at the Board of Trade when a Committee was appointed to inquire into the Laws which regulate our Merchant Shipping in 1860. I allude to Captain—now, I believe, Admiral Sullivan. In reply to a question, he gave the following instance of this glaring anomaly:—

> "A man coming from a foreign port, with a little vessel of 60 or 70 tons—though perfectly competent to take a vessel of any size through the navigation of the Thames and the Downs—must, because she comes from a foreign port, if she is 61 tons, take a pilot; but if he was going upon the coasting trade in a vessel of 1,000 tons, though he was much more incompetent, he would be allowed to navigate the whole of the reaches of the Thames."

It may be supposed that a policy which allows the captain of a vessel engaged in the coasting trade to navigate his vessel without a pilot is in favour of the coasting as against the foreign trade; but there is also the same exemption for ships in some foreign trades; for whilst ships coming through the Downs to the river Thames must have a pilot on board, ships coming from a port north of Boulogne—Calais, Dieppe, Ostend, Antwerp, Hamburgh, St. Petersburgh, Archangel, or any port in the Baltic—are exempted from compulsory pilotage, and the captains have it in their discretion to take a pilot or not on board, as may seem most expedient. It is perfectly clear to me that the policy of enforcing pilotage, as a protection for property, is no ground whatever for exempting one ship from pilotage, whilst another ship navigating the same waters is compelled to take a pilot on board. Now, with regard to the exemption in favour of the vessels of Guernsey, Jersey, Alderney, Sark, and Man, laden with stones, the produce of those islands, is it possible for any man to say, with reason or sense, that there is any greater necessity for taking a pilot on board when a vessel is laden with stone than when laden with fruit or any other cargo, the produce of the islands? Another anomaly resulting from the compulsory system of pilotage occurs at Falmouth, at which port vessels are very much in the habit of calling for orders. Now, a ship coming from a port in the Mediterranean, and calling at Falmouth for orders, is compelled to take a pilot on board, though she only anchors in the roads; whilst the ship which puts in from stress of weather is not compelled to take any pilot at all. One would think that the state of the weather would have something to do with the question whether a pilot should be taken or not; but the fact is, that when the weather is fine, and the vessel merely comes in for orders, she is compelled to take a pilot, whilst, if she is driven in by the weather, and is, consequently, more or less in danger, she is not compelled to take a pilot. Some of the cases in the Bristol Channel are very striking. In some ports pilotage is quite voluntary, in others altogether compulsory. Thus at Bristol it is compulsory; on the other hand, at Gloucester it is voluntary. A ship coming up the Bristol Channel to Bristol must take a Bristol Channel pilot; but a ship coming through the same waters, if bound to Gloucester instead of Bristol, is free to take a pilot or not, as she pleases. It is perfectly clear, then, in the words of another able witness who was examined before the Committee which sat in the year 1860, that there is no sense or reason in this arbitrary use of pilotage in some cases, and leaving it altogether free in others. Then there is another strange anomaly. The first exemption is that of vessels engaged in the coasting trade; but the question is, What is the coasting trade? Any man of common sense would say that a ship going from London to a port in the North of England, for instance, would be employed in the coasting trade. But that is not necessarily the case. That depends upon what her cargo may happen to be composed of. So that the safety of the ship does not depend upon the question of what water she is passing through; but upon where the cargo came from which she is carrying. A coasting vessel is exempt from taking a pilot on board; but a vessel, say from a Mediterranean port, which discharges a part of her cargo in London, and carries the remainder to a port in the North, is called a foreign ship, and is compelled to take a pilot from London to Orfordness. And the absurdity of this will appear when I mention that, if this small part of her cargo is taken out of the vessel and put into a lighter, and then back again into the vessel, she is not then compelled to take a pilot! These are not the only evils resulting from the operation of the law as it stands; there are also legal consequences flowing from this state of the law as to pilotage which are of an exceedingly unjust character. Under the Merchant Shipping Act which I have quoted, ships having a pilot on board in pilotage waters by compulsion of law are exempt from liability for the damage which they may occasion. Section 388 says—

> "No Owner or Master of any Ship shall be answerable to any person whatever for any loss or damage occasioned by the fault or incapacity of any qualified Pilot acting in charge of such Ship within any district where the employment of such Pilot is compulsory by law."

Now, I ask the House to look at the consequences which are likely to flow from the operation of that provision, taken in connection with the vast number of exemptions which are established by the Act I have quoted, and the subsequent Act of 1862. As I have reminded the House, all coasting vessels are exempt from the obligation to take a pilot. It follows, therefore, that any vessel having a pilot on board by compulsion of law, and running into and destroying a coasting vessel, whether she has a pilot on board or not, is not answerable if that collision and the destruction of the vessel are the fault of the pilot. Let me show the House how this comes out in actual practice. Two ships, both of the same size and description, arrive in the Thames, one from the North Sea and the other from the English Channel. They each take a pilot, and subsequently get into collision; but although the one which comes from the Channel is at fault, the other has no remedy, and cannot recover damages for the injury done her. On the other hand, if the vessel from the North runs into and damages the vessel from the South, the latter can recover. So that in the one case there is absolute immunity; whilst in the other there is complete liability. Two ships from Leith to London both take a pilot at Orfordness. One has passengers, and the other has none. They get into collision. If the one with passengers on board is in fault, the other, which has no passengers, has no remedy; whereas, if the reverse is the case, and the one without passengers is at fault, the other, having passengers on board, may recover. Should both have passengers, and both carry pilots, neither can recover against the other. Two ships bound from Havre for London take pilots at Dungeness. The master of one of them has been at the pains of passing a pilotage examination, and has a pilotage certificate. The master of the other has neglected to do so. They both take pilots, and come into collision; but the master who is best qualified, and has a pilotage certificate, is liable for the damage which he does to the other ship, whilst the least qualified master is not liable for the damage which he does. Again, a ship bound from the West takes a London pilot at Scilly or the Lizard—a very common case. For damage by collision westward of Dungeness the owner is liable. For damage done eastward of Dungeness he is not. Take next the Bristol Channel. Ships bound to or from Bristol are bound to take a pilot up and down Channel. Ships bound to or from Cardiff, Newport, and Gloucester are not. And if a Bristol ship get into collision with a Newport, Cardiff, or Gloucester ship, both having pilots on board, the Bristol ship may recover damages; but the Cardiff, Newport, or Gloucester ship cannot recover. These anomalies in the state of the law lead, therefore, to most serious results. In the river Thames great damage is often inflicted by such collisions; and yet there is no redress against the vessel at fault if she has a pilot on board. Steamers coming up the Thames with pilots on board, and running down the coasting craft or the smaller craft in the river, may do so with perfect impunity. There is no remedy for the small coasting vessels which receive the injury. Some owners are much inclined to continue the law as it stands, because of this exemption from liability; but even this security is exceedingly imperfect and unsatisfactory, and, in fact, is a broken reed; for although there may be a pilot on board by compulsion of law, the owner of the vessel is kept presumably liable for the damage inflicted, and has the onus resting upon him of proving that the damage is done through the sole fault of the pilot. In 1866 a case was tried in the Admiralty Court where the pilot and crew of a vessel were both partly in fault, and there the liability of the owner was established. The presence of the pilot on board does not, therefore, give the owner perfect security. It has been objected that, inasmuch as pilotage usages are local, it is not for Parliament to interfere with the existing arrangements, and that the local authorities should be left to manage and regulate their own affairs. It is quite true that the local authorities are resident, and that they act locally; but the effects of their action are national and universal. Their jurisdiction is local; but the consequences of its exercise are universal, and call loudly and strongly for the interposition of Parliament. The anomalies to which I have adverted arise from the want of uniformity of system, and would not exist if there were either universal compulsion or universal freedom of pilotage. The policy of Parliament, however, and the teachings of common sense, make it impossible to re-adopt the system of universal compulsion. The only mode, therefore, of putting an end to these anomalies is by making the law uniform, and pilotage universally free. The expenses of the present system, I was observing, are most oppressive. Experience, authorities, and sound principle all agree in proving the compulsory system to be dear, and the voluntary system to be cheap. The rates of compulsory pilotage are always higher than the rates of voluntary pilotage. The system at Cork Harbour is free, at Falmouth it is compulsory, and, at the latter place, the expense is double what it is at Cork; it is also double what it is in the Northern ports of England, where pilotage is also free. One of my constituents wrote to me about a case which came under his own notice. A vessel of 390 tons register had to pay for pilotage service, from Dungeness to London, the sum of £19 14*s.* 1*d.*, although a great portion of the passage was made under steam. The vessel could not get a pilot from Dungeness in consequence of its being rough weather, and she had to pay boatmen for getting into the Downs £2; for getting pilot on board, £1 10*s.* ; pilotage to Gravesend, £11 3*s.* 10*d.* ; and pilotage to London, £4 10*s.* 3*d.*—together £19 14*s*, or a sum quite equal to what the captain got for navigating the vessel from St. Helena. He also mentions a case which occurred when he himself was at sea; for he is now a retired ship captain, and, in this instance, he had to pay as much for pilotage from Dungeness to London as he had for wages to the Mediterranean and back again. Another effect of the compulsory system is, that it enhances the general charges upon shipping. It creates a necessity for employing 100 pilots, say where fifty would be sufficient to do the work; and the Commercial Marine has to pay for the extra fifty who are not wanted for the service. At the same time, the operation of the system is to limit the number of men for pilotage purposes to prevent competition and keep up the rates. Wherever pilotage has been free it has been cheap, and also efficient. There are no cases on record in which where pilotage is voluntary it has been found inefficient. At the Northern ports—at Cork, and other places where it is free—it is equally as efficient as at ports where it is compulsory; and the introduction of the voluntary system, leaving it optional to employ a pilot or not, has neither reduced the necessity for pilotage nor reduced the number of persons who offer themselves for the service. The principles upon which the compulsory system is founded are, as I apprehend, totally and entirely indefensible. They amount simply to this:—That whether a shipowner wants a servant or not, he is compelled to employ that servant. He is left without the discretion of saying whether he will employ him or not; and the theory is, that the ship is made for the pilot, and not the pilot for the ship. And it appears to me that where pilotage is imposed compulsorily, the law is precisely in the nature of the laws of trades' unions, and that the authorities in giving it effect tell the pilots under their control—"Nobody shall compete with you; you shall be protected from all competition; no one shall come into the trade without a license; and we will compel owners to employ you whether your services are required or not, and to pay you such wages as we choose to prescribe." I apprehend that no trades' union in this country has ever more grossly violated the first principles of political economy than these Pilotage Boards have done by means of the compulsory system which they impose upon the shipping of this country. But not only are all sound principles and all experience in favour of an alteration, but the best authorities are on the same side. In 1860 the hon. Gentleman the Member for Liverpool (Mr. Graves) gave an opinion in favour of voluntary pilotage, with some degree of modification; and his authority, coming as he does from a port where the compulsory system exists, and where it is better worked than in any other port, is surely worthy of being listened to and regarded on a question of this kind. Mr. Hudson, too, a gentleman who is well known to the shipowners of the North of England as an enlightened, intelligent man on all matters connected with shipping and marititime commerce, gives the most conclusive and unqualified testimony in support of a free system of pilotage. Admiral Sullivan also speaks most decisively upon the point. And inasmuch as I see the hon. Member for Liverpool (Mr. Horsfall) in his place at this moment, I will read two of the Questions put by the hon. Member to Admiral Sullivan, with the answers which that gentleman returned. Question 6,437 [Mr. Horsfall]—

"Do you recommend that the same principle of voluntary pilotage should apply to every port?—

I do, most decidedly. I can see no reason whatever against it."

Question 6,438—

> "Would you recommend it for such a port as Liverpool?—Most decidedly. I would have it just the same everywhere."

Well, Sir, I think it is quite clear that the anomalies I have described to the House must continue to vex and harrass the shipping interest unless the pilotage system is made universally voluntary. It is for Parliament, then, to chose one course or the other; for it is utterly impossible that the scandal which attaches to our legislation on this subject hitherto can be permitted to continue, and Parliament must interpose to put an end to those anomalies and the consequences of those anomalies, and the legal injustice which results from the present state of things. A few months ago the present learned Judge of the Admiralty Court (Sir Robert Phillimore) gave expression to a distinct opinion in favour of the abolition of the principle of compulsion. Not a few of the Elder Brethren of the Trinity House have in recent years expressed their abhorrence also of the compulsory principle; and Parliament itself, the highest authority of all, has testified in favour of the voluntary and against the compulsory principle. For in the year 1862 the General Act of 1854 was amended in many particulars touching pilots, and this Act gave to the Board of Trade the power to create local pilotage authorities in different parts of the country under certain conditions; but one essential and fundamental condition in every case was that no Pilotage Board should be established unless the pilotage was voluntary; and secondly, that the local pilotage authority shall licence every man seeking a licence. That lies at the bottom of the Act of 1862; and it is not in the power of the Board of Trade, by Order in Council, to create a local board unless the pilotage is free and open to any man who presents himself to the Board and, upon examination, is found to be qualified. With the permission of the House I will take the liberty of reading the Recommendations which were made by the Select Committee of 1860, but which Recommendations have never yet been fully embodied in our legislation. The following is the judicial deliverance of that Committee, after they had taken a large mass of evidence:—

> "As regards the main question of voluntary or compulsory pilotage, your Committee, after weighing most attentively all the arguments upon the subject, have arrived at the conclusion that a system of voluntary pilotage might be safely established in most parts of the Empire, due consideration being had to the interests of those parties who have invested capital on the faith that the compulsory system would be maintained. Your Committee have had the most convincing evidence that where the system of voluntary pilotage prevails the supply of pilots is more abundant, their efficiency is in no way inferior, and the rates generally lower than at any of the ports where compulsory pilotage is still in force. The arguments, therefore, which have been used in favour of the existing system, and the fears which have been expressed in regard to obtaining, at all times and under all circumstances, a sufficient supply of pilots, must give way to the facts which have been adduced in evidence. . . . Your Committee would further observe that where pilotage is compulsory, it is generally the practice to limit the number of pilots, to prevent them from accepting a less sum than the fixed rates, and to make it compulsory on each pilot to take his turn, and to accept whatever employment may offer. If the obligation on the ship to employ a pilot were done away with, the corresponding limitations and obligations of the pilots would also be done away with, and the probable consequence would be that more men would offer, and that the supply would adapt itself to the demand. The general regulations which it would be necessary to frame, under the authority of Parliament, in order to carry into effect the requisite change, would be so simple as not to create any difficulty. Your Committee are of opinion that the pilots should be left under the local regulations of the existing pilotage authorities, who would fix the rates, and the qualifications of the pilots to be licenced, by the difficulties of the navigation and the wants of the place, subject to the approval of the Board of Trade. Your Committee do not anticipate that any difficulty respecting the law and practice of insurance will accrue from the change. The law will thenceforth leave all parties at liberty to form a free contract; and the merchant, the underwriter, and the shipowner will be competent to adjust their policy of insurance upon what terms they please. All experience proves that masters will avail themselves of the services of a qualified pilot in any navigation which is in the slightest degree dangerous; and the existing exemptions in respect of coasting vessels, which give rise at present to no difficulties, justify the anticipation that, if the pilotage of the foreign trade is thrown open, commerce and shipping may be relieved of restrictions which now, in many cases, fetter their efforts."

I take it for granted, Sir, that this House must interfere to put an end to the absurd and scandalous anomalies which now prevail in our pilotage arrangements around the coast; that there is no other course by which to rectify them; that this cannot be done by local Pilotage Boards left to their own individual action, for they take within their view only the narrowest sectional interests, whereas the ports which they govern are open to the shipping of the world, and the payments they exact by their exorbitant regulations are a heavy and oppressive tax upon the shipping interest. I cordially thank the House for the indulgence it has shown to me, and, in conclusion, I beg to move the Resolution which stands in my name—

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, representing that, in the opinion of this House, measures ought to be taken for the early abolition of Compulsory Pilotage, with due regard to existing interests, and for requiring Pilotage Authorities to examine and license all competent persons applying to them for the purpose of qualifying to act as pilots,"—(*Mr. Candlish,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. STEPHEN CAVE: The subject which the hon. Gentleman has brought before the House with much ability is one that is full of difficulty; and the difficulty is enormously increased by this circumstance, that although the House might agree upon such general principles as the hon. Gentleman has indicated — namely, that all trades should be thrown open, and that the days of close guilds and protected interests have entirely gone by, and that demand will always regulate supply; yet we are met at once by two impediments when we attempt to carry these principles into active legislation. The first, that public opinion on this point has not gone all the length the hon. Member supposes. He referred, in the course of his speech, to the case of trade unions. Now, these unions have been established and have instituted certain regulations for the protection of those engaged in trade. Well, I imagine that the opinions out of which such associations spring are very strongly implanted in the minds of large numbers of persons; and one of these opinions is that, in order to make an industry profitable, it is necessary to limit the number of those who practise it. The other difficulty s, that, even where certain general principles are admitted, yet people will be found to argue that, in their particular localities, exceptional circumstances exist which prevent the practical application of these principles. For example, I suppose that, in spite of the evidence of Admiral Sullivan, the hon. Members for Liverpool will declare that it is quite impossible to carry out the system of voluntary pilotage in the port of Liverpool; that under the peculiar circumstances of their magnificent estuary, with its shifting sands, and vast fleets of vessels arriving with every change of wind, it is absolutely necessary that the pilots should be, at any rate, under such a degree of control as to ensure there being a sufficient supply of them. So there are places in the entrance to the Mersey to which ships run in the hope of meeting a pilot, and where, in certain states of the weather, the consequences of a short delay might be fatal; so that it is absolutely necessary that the regulations should be strict, and that the pilots should be subject to certain authorities, in order to ensure there being a sufficient number always on the spot and always ready to take charge of a ship—in short, that they should be always found when they are wanted, just as a policeman is expected to be always on his beat. On the other hand, it is true that in Liverpool the voluntary system is beginning to make itself felt. There are there a set of voluntary pilots who take charge of vessels to Cape Clear or the Tuskar Lighthouse, far beyond the pilotage limits of the port; and I know that they are a very successful and enterprising set of men. I remember, many years ago, crossing the Magra, a turbulent mountain stream, between Spezzia and Lucca. The day was fine, the water about six inches deep, but a guide, with a sounding pole, walked in front of the carriage, and received, of course, the regular fee for the service—unnecessary as, under the circumstances, it happened to be—which was levied on the principle of obtaining, by a small payment, not very burdensome to anyone, sufficient to secure the constant presence of a guide, whose services might be necessary in case of a sudden flood. Well, I then come to the argument of the hon. Gentleman, that pilotage presses very heavily upon the class of small shipowners, and also that it is very hard that vessels which carry a master or mate, who have taken the trouble to qualify for the duties of pilotage, should yet be compelled to engage pilots they do not want. Admitting, for the moment, this argument, it would show that the effect of the change contemplated by the hon. Member would rather be to diminish the employment of pilots, and it is difficult to see how this can be reconciled with the arguments of those who contend that, by throwing open the trade, we should give still greater employment to the pilots than they now have. At any rate the only mode in which these two counter representations can be harmonized is on the supposition that the pilots would be more efficient under the voluntary than under the compulsory system, and that consequently the owners of vessels would be more likely to employ their services. The hon. Member (Mr. Candlish) has said that the Trinity House has expressed the very strongest approval of the voluntary system. [Mr. CANDLISH: I said that some members of it had done so.] Well, I think the hon. Member went rather too far when he said that; all that can be said is that an opinion has been growing for some time in the Trinity House in favour of the voluntary system. Considerable difficulty has been experienced by them in managing the pilots at Dungeness in consequence of their knowing that, under the present system, they were certain of employment under any circumstances, and consequently energy and good conduct have not been so remarkable among them as, perhaps, they would have been if the system were thrown open. At the same time I think that very strict regulations are necessary with respect to the licences, and the amount of the rates. The hon. Gentleman, I think, said that, in his opinion, the rates ought to be thrown open, as well as all the other circumstances of the trade; but I do not think that that would be a good plan. A case in point recently came under my notice. It occurred at St. Ives, where the voluntary system prevails to a great extent. I had a complaint last winter respecting the conduct of some of the pilots who went out to meet a French vessel. The weather was bad. The captain of the vessel hardly knew where she was, or what degree of danger she was in; and the pilots, taking advantage of the circumstance, made an extortionate bargain with him, as the condition of their bringing the vessel into port. I think that, if we were to leave the pilots to make their own bargains with shipowners, we should be likely to bring about an increase of all those abuses which are so much complained of in the case of salvors on the South coast. Complaints also have been made—and, no doubt, with very great justice — as to the conflict of jurisdiction, and with regard to many regulations, which, indeed, seem to be very anomalous — such as the shipping of fresh pilots when the vessel is moving out of one jurisdiction into another. This was formerly the case in the Bristol Channel. Masters of ships when they had reached a certain point were obliged to send back the pilot on board and to take another in his place; and sometimes they had to do this under circumstances which led to great delay and even danger. The hon. Member for Leith (Mr. Miller), I remember, complained on one occasion, that the regulations were bad that prevailed in that port, and mentioned the case of an old sailor—an excellent well-conducted and capable man—who could not get a certificate because of some technical or formal impediments, and the consequence was that he had sometimes been turned over the side by his own son, a good-for-nothing fellow, but who had the advantage of being properly qualified. No doubt there are great anomalies which call for remedy, exemptions that proceed on no principle whatever. It is obviously quite absurd that vessels from the north of Boulogne should be in a different position (as the hon. Member has stated) from vessels coming from the south of Boulogne. There can be no reason why vessels from the Baltic should not require a pilot quite as much as vessels constantly going backwards and forwards to Havre, Brest, St. Malo, or even the fruit ships of Portugal, or Spain. But the chief difficulty in dealing with this question, is the immunity from damage enjoyed by the shipowner who carries a pilot compulsorily. This matter is also full of anomalies. In former times, when you had to deal with sailing vessels, some reason might be alleged for this system of making pilots liable. The pilot, no doubt, not only knew the banks and shoals, but the strength of the currents, as compared with the force of the wind, and other matters of this kind, which enabled him, in his own waters, to work and sail a vessel better than the master; he, therefore, entirely superseded the master, and took command of the vessel, and it was perhaps necessary that he should do so. It seemed fair, under these circumstances, to discharge the master from liability in the case of an accident happening; and the owner as naturally objected to be answerable for damage caused by one who was not his servant, and over whose appointment he had not any control. In those days, moreover, the vessels were smaller, and the pilots were probably supported by their guilds, so that they were able to pay when called upon, and the injustice was much less than it is now. But these considerations can hardly be said to be of much force in these days; because, in the case of a steamer, the pilot now really acts only the part of a guide, who shows where the rocks and shoals are, and the captain of the steamer is really the man who manages the vessel. It seems hard, that when the captain insists on putting on great speed, for the sake of obtaining an early market, and when, in consequence, he runs down some ship in the way, that the owner of the vessel should merely have a remedy against the pilot, whose whole fortune probably would not be sufficient to replace a single spar. And if it is unjust to make the shipowner responsible for the acts of a man in whose appointment he had no voice, and over whose actions he has very little control, certainly, on the other side — looking at it in a legal and technical point of view—it must be manifestly more unjust that the damage and loss resulting should accrue to the party aggrieved for the acts of a man whom he had not employed at all. Complaints have been made, as many hon. Members know, by large deputations of Thames bargeowners, complaining bitterly that they are perpetually run down by steamers in the river, and that they have no means whatever of getting anything out of the pilot. The pilot, perhaps, may go to prison ; and that is the only compensation the owner gets for the loss of a barge worth £200 or £300. But it is fair also to observe that there have been representations on the other side from the owners of steamers, who say that if we alter the law to enable the owners to obtain new remedies, their barges will be always in the way of the navigation, and it will be quite impossible to pass up and down the river. Well, it is evident that the anomalies and difficulties of the matter are numerous and serious. It may be suggested that we should assimilate our practice to that which prevails on the Continent and in America ; but even there the practice is still very uncertain as to the position or privileges of pilots. The modern tendency of our Courts is to cut down these immunities as much as possible. The shipowners in London are generally in favour of the system, and even of the extension of the system that now prevails. In other ports I believe there is not so strong a feeling on the point. With regard to the underwriters, no doubt it is strongly to their advantage that the pilots should be the best possible men to be obtained. If they are so, then, of course, the matter is in their own hands, as they can refuse to insure a vessel that does not take a pilot, or that has not on board a qualified master and mate. I mention these points to show how very difficult this question is, and how impossible it would be for the Government to pass a Bill based upon the Resolution of the hon. Member. The right hon. Gentleman opposite (Mr. Milner Gibson) will bear me out in that opinion. He did very much when he was at the Board of Trade to get rid of the more glaring anomalies, though I think he was not able to go so far as he would like to have gone. He will bear me out when I say that the difficulties are such as to prevent the introduction of any such comprehensive measure as that embodied in the Resolution now before us. I recommend the hon. Member not to press the Motion, but to support the Government in remedying—as I hope to be able to do in the Merchant Shipping Bill—some of the more flagrant abuses, and in bringing the law into a more reasonable state, and for the rest to trust the local authorities to take a broad and enlightened view of the pilotage question within their own districts.

MR. ALDERMAN **LUSK** supported the Motion of the hon. Member for Sunderland (Mr. Candlish). The question had been discussed for a long time in this country; and the point he held to be simply and absolutely this:—Whether a man should be at liberty to do as he liked with his own property, or whether in the disposition and management of it he should be subject to the control, supervision, and direction of the State. The meaning of the system of compulsory pilotage was just this :—That the State found for you a certain number of men to do something for you which you may or may not want them to do. Their remuneration is fixed; you must pay it to them whether you really require their assistance or not. The system, no doubt, had its origin in the days when paternal Governments undertook the task of doing for their subjects what their subjects could do much better for themselves. This system was a relic of the old time—a remnant of a plan of administration of which they had got rid—and in this, as in all other matters, he thought the best and soundest policy was the policy of Free Trade. A man who owned a ship was just in the same position as a man who owned a house, or any other form of property. The vessel, perhaps, was bringing a valuable cargo up the Thames. He had taken care to select a thoroughly good captain whom he could trust, and to whom he was willing to leave the safety of the vessel. Why should he not be allowed to do so? On what principle of sound trading or of common justice did they say to him that he should not be allowed to bring his vessel up the river unless he had a pilot on board? The Captain says, "I do not want a pilot." The State replies, "But you must have one, and pay for one." The owner might fairly object to the unnecessary expense; and, at the worst, had a right to say that if he chose to run any risk with his ship it was his own affair, and that he ought to be at liberty to judge what was the best course to be adopted. The system amounts to direct interference with the liberty of shipowners in dealing with their property. The common argument, of course, was that the pilot was put on board to protect the cargo and crew, and the passengers if there should be any. But he failed to perceive what justification could be found in any of these circumstances for arbitrarily prohibiting a man from doing what he thought fit, what most advantageous. It may be said that navigation up rivers was dangerous unless conducted by pilots. Everything was more or less dangerous. The railway, the omnibus, the streets were all full of perils that required to be guarded against. But it had never been argued that, on that account, people should be compelled, with their will or against it, to be placed under the care of guides. Another plea in favour of compulsory pilotage was, that it helped to keep up a race of competent men. He believed that under a voluntary system we should get just as good men, if not better. Men of experience and practice would be always to be had, and would soon become known, whereas a pilot might hold a licence and yet be not very fit for his duties. Shipowners, if the trade were open to all, would be able to make their own selection, and the House might depend upon it that their choice would not fall upon incompetent men. Now-a-days a ship was generally towed up the Thames or the Mersey by a steam tug, and a pilot was of no use, for the ship had only to follow the steamer, and the master of the tug was really the pilot. It was he who knew every turn of the river, upon which he had been engaged for, perhaps, twenty or thirty years, and all the pilot had to do was to steer the ship in accordance with the direction taken by the tug. He did not say that pilots were never of any use. In many instances they were a necessity, as when a stranger approached our shores; but they were not always a necessity. For these reasons he hoped that, in the new Bill to which the Vice-President of the Board of Trade had referred, provisions would be introduced for the establishment of Free Trade in pilotage.

MR. HORSFALL said, he had listened with great interest, but with still greater surprise, to the speech of the hon. Member for Sunderland. He laid down two propositions, which he asked the House to affirm—first, "that, in the opinion of this House, measures ought to be taken for early abolition of compulsory pilotage;" and, secondly, that measures should also be taken "for requiring pilotage authorities to examine and licence all competent persons applying to them for the purpose of qualifying to act as pilots." To his surprise, the hon. Gentleman stated that he founded these propositions upon the Report of the Committee of 1860. He (Mr. Horsfall) had the honour of being a Member of that Committee, under the presidency of his right hon. Friend the Member for Ashton (Mr. Milner Gibson). He attended every meeting of the Committee, and he certainly was considerably surprised to hear that statement. But the hon. Gentleman himself answered his own propositions, and showed clearly that they were not in accordance with the Report of the Committee, because he read a portion of that Report which distinctly stated on the proposition that there should be one system of voluntary pilotage—

> "As regards the main question of voluntary or compulsory pilotage, your Committee, after weighing most attentively all the arguments upon the subject, have arrived at the conclusion that a system of voluntary pilotage might be safely established in most parts of the Empire."

Observe! "Most parts of the Empire"—which was a totally different thing from that represented by the hon. Member. The hon. Gentleman endeavoured to support his argument by the evidence given before the Committee; and what was the evidence that he gave us? He (Mr. Candlish) gave us the evidence of Mr. Hudson, of Sunderland, and of Captain Sullivan; but their evidence was simply Sunderland *versus* London, Liverpool, and Glasgow. Mr. Wigram, Mr. Duncan Dunbar, Mr. Marshall, Mr. Green, Mr. Gilman, and others, all well-known as the largest shipowners of London, and Mr. Anderson, Chairman of the Peninsular and Oriental Company, all gave evidence before the

Committee in approval of a system of compulsory pilotage. The great mass of the evidence on the part of the shipowners was decidedly in favour of compulsory pilotage. But he did not look upon it as a shipowner's question only. There was a vast amount of property shipped by manufacturers in British vessels; there were also a vast number of passengers who went by these vessels; and although the shipowners might save a trifle by not being required compulsorily to take a pilot, it would be at the risk of the lives of the passengers and the safety of a very large amount of property. The hon. Gentleman spoke in reference to the coasters. He said that the coasters go free of pilotage, and he looked upon that fact as though it were intended to favour the coasting trade in preference to the foreign trade. He (Mr. Horsfall) thought that a more charitable construction might be put upon the matter; and the construction which he put upon it was that as the captains of coasters were going constantly in and out, they knew the character of the waters as well as the pilots themselves. The latter part of the hon. Member's Motion declared that it was necessary to take measures for requiring pilotage authorities to examine and licence all competent persons applying to them for the purpose of qualifying to act as pilots. But what was the fact now? He (Mr. Horsfall) spoke only with regard to Liverpool, where, since 1860, every master and mate who had come forward to be examined (with the exception of two who had not passed the examination) had been licenced. He had no wish to find fault with the hon. Member for having brought forward this question. He quite admitted that there were certain matters of detail which required close examination by the Board of Trade. But he objected to this Resolution on the principle that it offered to the shipowners and the local authorities—who were much better judges than this House—a system which they did not want. He could not therefore consent to this Resolution, and if the hon. Gentleman pressed it, he should feel it his duty to divide the House on the subject.

Mr. PEASE said, the hon. Member who had just sat down read at some length various opinions which were expressed in 1860 on the question of compulsory pilotage; but, without exception, the opinions thus given were those of large shipowners on the Thames, who by this compulsory pilotage escaped an action for damages when any injury was done to small craft on the river. Everything that had come out so far in the debate proved enormous anomalies to exist and that those anomalies begot other anomalies. There is no uniform practice whatever on this question of compulsory pilotage. The evidence of the gentlemen referred to was all to one point—that, if they were offered the Free Trade system with regard to pilotage, it would not be satisfactory, and that the demand for pilots would not create a sufficient supply. Now, he (Mr. Pease) thought that all the facts of the case were against that doctrine. In the port of Cork there were now 103 pilots, while in the port of Falmouth there were only thirty-six. Both ports were equally accessible; but in the latter the compulsory system was carried out. He thought that case afforded a fair sample of what Free Trade would do in the way of providing pilots, whose interest it would be always to be on the look-out for vessels. With regard to Falmouth he knew from personal observation the way in which the compulsory pilotage system worked there. He knew that, in many instances, in order to avoid the expense of pilotage, large vessels had kept out of the harbour altogether, keeping out for days at sea rather than come into the harbour with a pilot, when they have been waiting for orders from Liverpool or elsewhere. It did seem most absurd that at Liverpool, at Dublin, in the Clyde, at Howth, and at Bristol, all vessel should be compelled to take pilots, and at Newcastle, Shields, Sunderland, and Cork, they should be comparatively free. His hon. Friend the Member for Sunderland put the case well when he said that the men the captains must take must be an inferior class to the men whom the captains might take. One depended upon good conduct and intelligence; while the other, like all those possessed of monopolies, might do exactly as they liked, whether they please anybody or nobody. He came now to the question, perhaps the most important one. What was the origin of all these peculiar laws with regard to pilotage? They knew that they arose out of those guilds which the right hon. Gentleman the Vice President of the Board of Trade had told them had now nearly expired. In fact, in one case the vessel was made for the pilot, and in the other the pilot was made for the vessel. It must be to the interest of every shipowner to do that which was for the safety of himself, his insurers, and those with whom he was connected. If a pilot was wanted he would see that one was taken; or he would leave the matter in the hands of his own certificated captain. The matter before the House was the difference between the advantage of a Free Trade system, as applied to all pilots, and the great difficulties and anomalies which arose from the mixture of the two systems. He (Mr. Pease) thought that each port ought to have a little more of the Free Trade system, with those necessary police regulations which would enable the vessels to work to the satisfaction of the harbour authorities.

Mr. MILNER GIBSON said, that as he had been referred to he would say a few words upon the subject of the Motion. He was glad to hear from his right hon. Friend the Vice President of the Board of Trade that the opinion was growing in favour of the voluntary system of pilotage. He hoped it would grow faster than it had hitherto done, because he entirely admitted the truth of what had been stated, that when an attempt was made to deal with the question great difficulties had to be encountered, great interest was taken in the question in the House, and great political interest was exercised in defending the pilotage system. This pilotage system had always been, more or less, a party political question, he was sorry to say; and whenever an attempt had been made to place the pilotage law on a sound and rational footing, the parties making these efforts had been met with a kind of semi-political opposition. However, they had got now, seeing the unsatisfactory state of the law with regard to collision, to this position—that something must be done. His hon. Friend the Member for Liverpool (Mr. Horsfall) said that the great shipowners were in favour of compulsory pilotage. No wonder that they were in favour of compulsory pilotage. A great shipowner would in any case employ a pilot. There was no additional expense put upon him in compelling him to employ a pilot; but if by that compulsory law to employ a pilot you gave with it an indemnity for all damages his ship might do while in charge of such pilot, and a freedom from all liability, of course he was in favour of compulsory pilotage. But if his hon. Friend had consulted the owners of small ships, who were not liable to compulsory pilotage, and who now were deprived of all remedy for injuries which large shipowners might do to them, because the large shipowners were indemnified by the clause of the Act of Parliament, in consequence of having compulsory pilots, they would have told him a very different story. He imagined that the Solicitor General would agree with him that there existed a great wrong without a remedy. If he had a small vessel in the Thames run over by a large steamship in charge of a compulsory pilot, if his crew and captain were drowned, and his property destroyed, he had no remedy whatever. There was absolutely no remedy, as he understood, by the laws of this country for that great and signal wrong; and it arose entirely from the compulsory system of pilotage; because the law said, if the State puts a man on my ship, to take the management of the ship out of my hands, then the State was responsible; but the State does not recognize any responsibility for any damage that might arise. Hence there was no remedy whatever. In cases of collision the question frequently was not which ship was wrong, and ought to be liable, but which ship was in charge of a compulsory pilot. He would ask his hon. and learned Friend the Solicitor General if he was not correct in his view of the case?

The SOLICITOR GENERAL: Not quite. The law was this:—That the owner of the ship was not liable, because the pilot was not his servant. The pilots themselves, by law, were liable.

Mr. MILNER GIBSON: Virtually, the hon. and learned Gentleman agreed with him that, in this case, there was practically no remedy. A great wrong might be committed upon an industrious class of our fellow-citizens, and yet they would be left in the position of not having any remedy. He wanted any hon. Member to point out any other remedy than the abolition of compulsory pilotage. It would, no doubt, be most unjust to put State pilots on board a vessel and then to make the owners responsible in the event of the pilots not being able to handle the vessel as well as those who were more regularly in charge of her. He thought we ought to require from the Government some undertaking that this question would really be seriously considered with a view to a settlement. He did not believe that the difficulties after all would be so very great. He thought persons were becoming more and more convinced of the necessity—the absolute necessity—of some radical change in our pilotage system. If they looked to the enormous trade upon our coasts and the vast number of collisions that took place, he thought they must feel that it was every day becoming more and more an obligation to deal with this very important subject. The hon. Member for Sunderland (Mr. Candlish) had brought the question forward with so much clearness and in so much detail that it was unnecessary to go into the various anomalies of the present pilotage system; but he (Mr. M. Gibson) was clearly of opinion that they ought to do something to provide a remedy for the great wrong he had pointed out. With regard to the second part of his hon. Frend's Motion, that the pilotage authorities should be required to examine and licence all competent persons applying to them, for the purpose of qualifying to act as pilots, he thought that it was most reasonable. It appeared to him very strange that a person was not to be permitted to follow that calling for which he was competent; or that some pilotage authority was to say that a man was not to be permitted to follow the calling of a pilot however respectable, however industrious, or however competent he might be. Why, they might as well say that a man shall not follow the calling of a shoemaker, or butcher, or baker, or any other pursuit, as that of a pilot. Therefore, he did think that we ought to get rid of that absurd restriction of trying to fix the number of pilots any given trade would employ, and making it almost a matter of favour, sometimes not without political motives, to make men pilots. Let us be content with the ordinary rules of supply and demand. The freedom of competition among pilots was the best receipt for supplying ships with pilots; and rely upon it, if they let fishermen and qualified men who, in pursuit of their calling, were constantly at sea, have the benefit of these licences, the ships would much more frequently find pilots, when they wanted them, than they did now. They knew that regulations and by-laws of a severe character had been constantly passed to compel pilots to keep the sea and do their duty, because there was an absence of competition. Competition would provide better for the trade than by fixing the number of pilots the trade might require, which he contended was highly inexpedient.

THE SOLICITOR GENERAL said, that as he had had some experience in the discussion of these subjects, and had heard opinions on both sides, he would venture to make one or two remarks. It was no part of his duty or inclination to defend the present pilotage laws. He apprehended, however, that the real question before the House was the question of compulsory pilotage, and that the question of the examination of pilots had nothing to do with it. [Mr. MILNER GIBSON said, it formed the second part of the Motion.] He would confine himself to the question of compulsion, and the legal results of that compulsion. There were two considerations involved in the matter. The one was a mercantile consideration—whether it was desirable to have compulsory pilots or not, and the other was the legal result of having compulsory pilots. As to the first, he had had occasion to consult the opinions of many different classes. There were the shipowners in one class; but they were again divided into two opinions—one being the opinion of the large shipowners, and the other of the small shipowners. There were also the views of the underwriters. Now, the reason why pilotage had been made compulsory, and why the Legislature forced on the ship and captain the necessity of taking a pilot, was to ensure the safety of the crew and of the cargo. When the right hon. Member for Ashton spoke of anomalies, he meant that there was a want of uniformity in the system adopted on all parts of the English coast; but that want of uniformity had arisen from the varied character of the different parts of the coast. It might not be necessary or expedient that ships should take a pilot in going into a safe port; but, upon going into a port that was dangerous, such as the port of Liverpool—in reference to which anybody who had any experience of the matter was astonished that any ship got in safe at all—of course, it was necessary that the master should take a pilot. He quite agreed with the right hon. Member for Ashton that large shipowners always would take pilots, without any regard to the legal result, simply to secure the safety of their ships and property, because they had an immense stake at risk; but the smaller shipowners were inclined to run great risks in order to save themselves a momentary expense; and the law said "We will not allow the small shipowner to risk the lives of his crew and the value of his property in order to save the expense of employing a pilot." In those ports where ships were exempt from this obligation, it was probably on the supposition that the masters of those ships were well acquainted with the channel, and had had considerable experience themselves. He simply pointed these out as reasons which had been given by people who had taken opposite views on the matter from those now urged; but not for the purpose of supporting the law, with which he had had but very little to do. As to the rule of law arising upon a ship being required by compulsion to take a pilot, it was a general law; and he would like to state how far that law went, because he thought that some hon. Gentlemen who had spoken were not fully acquainted with the nature and extent of the liabilities which it imposed. By the law of England, a master was liable for the act of his servant. Many thought it was a hard law that, after you had taken all possible precautions to select an experienced and careful servant, you should be subjected to an enormous liability, because for a time he had been negligent. That law was only applicable to the case of a servant; the moment therefore the Legislature placed a compulsory pilot on board a ship, it did not require an enactment to show that the shipowner would not be liable for any damage occasioned by his negligence; it followed by the common law of the land that the shipowner could not be liable, because the pilot was not selected by him; he could not order him to do what he desired, and, in point of fact, the pilot would not be his servant. It was quite true then that, under certain circumstances, the shipowner was not liable in cases of collision when his ship was the one in fault; but it was only where the collision was occasioned solely by the fault of the pilot. If it was caused partly by the fault of the crew and partly by that of the pilot, then there was not an exemption from liability. The exemption only existed where the fault was solely on the part of a person over whom the shipowner had no control. It had been suggested that the shipowner should be liable for any damage done by the ship, although there might be a compulsory pilot on board; but he was not prepared at present to say that that would be just. It was a matter that required consideration — a matter for the Government to consider in any Bill they might bring forward. The hon. Member who had brought forward the Motion would readily perceive that it would not be desirable to bind the House to an absolute decision on the subject, inasmuch as modifications rather than absolute changes of both branches of the law referred to in the Resolution might hereafter be introduced which would meet the views he entertained.

Mr. GRAVES said, it appeared to him that the hon. Member had dwelt too much upon the mere carrying out of what had been called the Free Trade system in this matter. He had overlooked that which lay at the very bottom of the subject—namely, the question of liability. The hon. Member only regarded the point as one of supply and demand. But he (Mr. Graves) thought that the question went very much beyond that. They had, first of all to decide, whether they would have an irresponsible supply of pilots, free from all obligations but those dictated by their own interests, or whether they would have them subject to control; because he held it to be quite inconsistent with a voluntary system to uphold the present system of stringent regulations; he believed these to be necessary to the safety of life and property. At present, in consequence of the compulsory powers which existed, they had a most perfect system of control. For instance, at Liverpool, a certain number of pilots were always ready for duty at all times of the year, whether the weather was fine or bad; and the master of a ship running up in a gale of wind, can be sure of meeting with four points on the coast where pilots are always to be met with; so that if the master misses one pilot, he is sure to meet with another, and this is in consequence of the control exercised over them. The precise proportion of pilots required by the wants of the port to be afloat and ashore was determined. Again, they were prevented from making salvage claims—from making any claim whatever except subject to the supervision of the Board, and were not allowed to own shares in tug steamers. A large question, further, must also arise as to superannuation claims—for there were certain rights of this character to which they were entitled, and which would have to be considered. Such advantages as these would have to be abandoned for a voluntary system. The hon. Member asked—what remedy could be suggested for the anomalies in the present system which he had pointed out, except that which he had brought forward? He (Mr. Graves) would suggest that a remedy lay, not so much in a uniform system of compulsion or of freedom, as in defining more accurately the question of liability. At present it was most undefined. When the pilot came on board of a ship, the master, in most cases, considered himself relieved of all responsibility, and the pilot took charge. To that pilot, the peculiarities of the vessel was entirely unknown. Every ship had her own specialty, of which the pilot was ignorant; and it would be found by the statistics that a very large portion of the losses in the Channel have taken place when a pilot was on board. He would suggest that the duties of the pilot should be defined more accurately—where they begin, and where they end. He would rather try to find a solution of the question by having a uniform system of liability attaching to the owner; and let the pilot's duties be confined to pointing out the dangers of the channel which he had to navigate. He believed when they came to deal with the Merchant Shipping Act, that it was with that question they would have to deal, and not with any attempt to lay down a uniform system, suitable to the whole coast. He believed, on the contrary, that every district had its peculiarities; and those principally interested in a port were the right persons to judge what the system of pilotage ought to be, and what number of pilots were sufficient to keep up, in a satisfactory and efficient state, the pilotage requirements of the port. It would be most unfortunate if the Government stepped in and took out of the hands of the local authorities the regulations of those most important duties. It must be remembered that, as the law now stood, it was a mistake to suppose that shipowners were free agents. For instance, they could not employ masters or mates unless they held certificates from the Board of Trade; and the tendency of legislation was to limit still further their freedom. But now it was to be argued that a step in the contrary direction ought to be taken in the case of pilots—that they ought to be regarded only in the light of supply and demand, and that owners should be free to take them or not as they pleased. That was an inconsistency which seemed unjustifiable; as it seemed to him the real question to be grappled with was, to define the duties of the pilots, or to declare upon whose shoulders the real responsibility must rest. He hoped the hon. Member would not force his Motion to a division; but if he did he should be compelled to vote against it.

Mr. CANDLISH: After the assurance of the right hon. Gentleman (Mr. S. Cave) that the matter would have his attention, and understanding that his feelings were in favour of the Motion, he would beg to withdraw it.

Amendment, by leave, *withdrawn.*

Question again proposed, "That Mr. Speaker do now leave the Chair."

## BRITISH MUSEUM.—OBSERVATIONS.

Mr. GREGORY said, he wished to make one more effort to induce the Government to remedy what was a great discredit to this country—the present condition of the British Museum. In proportion, as the collections in that institution accumulated, and in proportion also to the intelligence and ability of those who had charge of it, must be the regret which was felt to see how vain and futile were their efforts to render this collection available, either for the study of scientific men, or for the amusement and instruction of general visitors. It was impossible, by any verbal description, to give an idea of the present state of the collection; the only way was for hon. Members to go and judge for themselves. If they examined the Collection of Natural History upstairs, they would find the specimens so closely packed together that it was impossible to distinguish the hoofs and the horns, the heads and the tails which belonged to the different animals; and the gentlemen connected with that department had not the means of prosecuting their scientific studies. If they went downstairs to the room where the Insects were deposited, they would find that they had descended at once into the realms of Nox and Erebus, and of eternal night. A writer in *The Times* on this subject stated that Englishmen were obliged to hunt in their minds for apologies whenever they took foreigners to visit that department; for the Insects were shut up in drawers unarranged—many of them unset, and some of them undistinguishable, being covered with an accumulation of London dust. If they visited the department of Antiquities, Mr. Newton would show them that unseemly penthouse where the interesting specimens of sculpture from Halicarnassus, Cyrene, and Cnidus were huddled together. Matters were still worse if he took them to the basement regions, where inscriptions, Etruscan monuments, and an immense mass of interesting objects were concealed in impenetrable darkness. Such was the present condition of the British Museum—unrivalled in its Collection of Natural History—and, though it might be excelled in some particular branches, still justly claiming to be one of the greatest collections in the world for originality, variety, and completeness. The objections he had to make to it were as to its structure, its arrangement, and its administration. First among the structural defects of the building was the manner in which the halls were lighted. If there was one thing necessary in works of art, it was that a full and clear light should fall upon the objects. That was more particularly necessary in so dark and cloudy a city as ours; but the light was so strained and contracted, that it seemed to be made obscure by some pernicious ingenuity. Then, what could be worse than the miserable and unseemly cistern in which the Assyrian antiquities were exposed? The next defect was want of space, which forbade all attempt at chronological and systematic arrangement—the very essence of a properly constructed museum. In former days a museum was a mere curiosity shop, in which the most incongruous objects were thrown carelessly together—South Sea implements of war, Greek and Roman busts, Hindoo idols, wasps' nests, stuffed kangaroos, shells, the hat and gloves of some celebrity, all mixed up together—all these things arranged without system formerly constituted a museum. But we have advanced to different ideas. A museum is now the symbol of the intelligence and learning of a nation; while it ministers to the amusement of the many it should convey instruction to all. If there were sermons in stones—and he knew no sermons more impressive than those that were preached in some of those stones, which told the tale of the structure of the earth, or of the religions, the politics of races over which the flood of time has passed, or the lineaments of those famous men who once swayed the world—then let them tell their sermons clearly and distinctly, not in the confused and chaotic manner they were made to do in the Museum. He would illustrate what he meant. At the British Museum, the visitor entered a hall filled with Roman busts, sculptures and tesselated pavement, and then passed to a room filled with Greek and Roman sculpture. Turning to the right, he came to the Nineveh bulls; then to the sculptures of Egypt; then back to Assyria; or, if he went straight on he would find himself again among works of Greek and Roman art—from them he would pass into barbaric Lycian tombs and inscriptions, and out of them straight into the highest efforts of Greek art, the works of Phidias. Nothing could be more incongruous or less instructive than such a miserable jumble. A proposition for a state of things equally incongruous had been made—namely, to stow away all the lighter antiquities upstairs, and keep the heavier articles downstairs: a sort of avoirdupois arrangement. Nothing could be worse than such a classification as that. He trusted that, even if the Natural History Collection were removed, the Government would be induced to buy sufficient land to the west of the Musuem to permit of a chronological arrangement of the various objects in parallel halls. They ought to begin their classification with the oldest periods of art—with the works of Egypt—then those of Assyria, and so on, till they arrived at the perfection of art in the works of Phidias, and then to proceed downwards to the decline. Professor Owen took substantially this view. He said that the British Museum was a place both for observation and recreation; but that neither could be carried out until there was a complete and classified arrangement of all the works of nature and art. He would now come to the question of administration. Some years ago a memorial, signed by 120 scientific men, was presented to Lord Palmerston, praying that the British Museum might be preserved intact; that ground should be bought, and that the collections of science and art should be kept within the same building. Shortly afterwards, another memorial was presented to the Government, taking another and different view. These memorialists made the following statement:—

> "We are of opinion that it is of fundamental importance to the progress of the Natural Sciences in this country, that the administration of the National Natural History Collections should be separated from that of the Library and Art Collections, and placed under one Officer, who should be immediately responsible to one of the Queen's Ministers.
>
> "We regard the exact locality of the National Museum of Natural History as a question of comparatively minor importance, provided that it be conveniently accessible and within the Metropolitan district."

The memorial was signed by Mr. Darwin, Mr. Huxley, Dr. Hooker, and other men of distinction; so that it appeared as if a large portion of the scientific world attached more importance to the question of administration than to the question of locality. He would not say one word derogatory to the trustees, he gave them much credit for having gathered a collection universal in its extent, and for selecting in every instance, stance to preside over the departments men whose fame was not confined to the walls of the British Museum. He should indeed be insensible to the influence which great names exercised in British society if he considered that the eminent men now connected with the Trust of the British Museum did not add lustre to the institution and inspire confidence in the management. Such was the confidence that he did not recollect a single instance in which the Estimates for the Museum had been challenged. The character of the trustees stood so high that the most entire and implicit reliance was placed in them. But his objection was, that there was no responsible management; no Minister of the Crown was responsible; and, if any objection or comment was made, there was no one to answer the comment or the objection. At one moment the Government might be blamed for what was really the obstructiveness of the trustees; at another, the trustees might be blamed for what was the obstructiveness of the Government. Now, how was the Trust composed? It was composed of forty-eight trustees, twenty-three official, one royal, nine family, and fifteen elected. Such a body of trustees was confessedly unwieldy, and one proof of its cumbrous nature was, that it was divided into a standing committee, which again was divided into sub-committees. The three principal trustees were the Speaker, the Lord Chancellor, and the Archbishop of Canterbury. In their hands all the appointments were placed. It was impossible to praise too highly the appointments they had made; but still it did seem strange that to the three men who had of all men, perhaps, in the United Kingdom, the heaviest amount of business on their hands, should be entrusted the selection of the most fitting persons to fill vacancies in the British Museum. The *ex officio* trustees, with the exception of the Presidents of the Royal Academy, of the Royal Society, and of the Royal Society of Antiquaries were, mainly gentlemen connected with politics or with the Bar, whose pursuits must leave little time for the concerns of the British Museum. In fact, the *ex officio* trustees rarely attended unless there was some scheme under consideration in which the Government were interested. A memorable instance of this occurred under Lord Palmerston's Government in 1860. The trustees had, since 1848, been imploring each Government for more space. The opinion of the Standing Committee of the trustees was in favour of retaining all the collections on the present site, and of purchasing the block of buildings round the Museum. Lord Palmerston's Government was, however, of a different opinion. It had become the proprietor of land at South Kensington, and it was necessary to justify the purchase of this land by erecting some kind of public building on it. There were two things to be done: to over-ride the decision of the Standing Committee; but at the same time to impress on the country the belief that the removal of the Natural History Collection was in accordance with the views of the trustees. Whereupon, in January 1860, there came down a body of *ex officios*, they voted *en masse* as they were told to do, and thus the removal to Kensington was decided by a majority of 1. This, then, went forth as the true expression of the trustees; whereas it was the expression of men who had probably not visited the Museum twice in their lives, and who cared as little as they knew about its condition and requirements. The Chancellor of the Exchequer of that day justified the action of the Government, on the ground that they must be responsible to the country for any measures that were actually adopted, and hence, that it was impossible for them to submit to the dictation of a certain number of gentlemen assembled in a back parlour at Bloomsbury. As a matter of fact, on that occasion, the gentlemen sitting in Bloomsbury were truer representatives of the feeling of the nation than the gentlemen sitting in Downing Street, to judge from the division in 1862, when the House of Commons rejected the Bill for separating the collections, and from that of June, 1863, when it refused to buy the Exhibition Building to house the Natural History Collection. But the question remained, why go through the farce of consulting the trustees at all? Next came the family trustees. Their trusts, he admitted, should be continued in reference to the bequests in which they were trustees; but it certainly was an anomaly that a number of gentlemen should interfere in the management of a great library, or of natural history and antiquarian collections, solely upon the ground that their great grandfathers might have presented a statue or a bust to the institution. He came next to the office of the manager and director of this great establishment. The office of principal librarian had of late years been continually growing in magnitude and multifariousness of functions. The popular idea of a principal librarian was that he was a man with a great many sub-librarians under him. But the fact was that he had the charge of three great collections—Library, Antiquities, and Natural History—any of which was almost too much for the powers of a single individual. Professor Owen himself, though he had been made Superintendent of Natural History, still remained under the direction of the principal librarian. Mr. Panizzi was a man of singular administrative power, of iron will, and indomitable activity, and he succeeded in preserving unity of administration in the British Museum; but anyone well acquainted with that institution could not fail to have become acquainted with the heartburnings, jealousies, and inconveniences attendant upon the control being vested in a single hand. Upon a comparatively small scale, eighty years ago, this system of individual administration might have done very well; but in the present day there was no one man capable of holding the reins of this great establishment; under a weaker man than Mr. Panizzi collisions must inevitably ensue, and difficulties be multiplied. He had entered into the system of management, because it was generally understood that the Government was about to introduce a Bill to transfer the Natural History Collection to Kensington; and he could not too strongly express his hope that, if that transfer were carried out, the present cumbrous system would not be perpetuated. One of the chief recommendations of the Royal Commission of 1850 had been to diminish the executive functions of the trustees, and to convert them, if possible, more into a supervising and visiting body than they were at present. But the result which the Commission looked for had not been attained; and the heads of departments had been rendered more powerless than before, through an increased conscientiousness on the part of the trustees in the discharge of their duties, in short from their entering into minutiæ of management which was by no means calculated to increase the efficiency of the officers of the establishment. For instance, if a coin or object of natural history were offered for sale at the Museum, beyond the very small pecuniary limit allowed, the officials had no power to make a purchase, and the matter was referred to the trustees. But the elements of a right judgment resided not with them, so much as in the coin-room, or in the study of Professor Owen, where the value of the specimen, its novelty, its connection with other objects could be tested. Hence the transfer of such a question from the department to the trustees was not a gain, but a loss, involving as it did a reference from persons who knew more to persons who knew less, from a more competent to a less competent tribunal. He (Mr. Gregory) considered also that it was of vital importance to the good working of the institution that the keepers of the different departments should be present at the board when their Reports were read, instead of any explanations which were requisite being asked for and tendered in writing. Such a system was cumbrous, offensive and pedantic. Were the keeper present he could in five minutes explain his views, instead of having them, perhaps, inadequately set forth by a principal librarian, who might be adverse to them. Let them ask Professor Owen what he thought of having the business of the Natural History Department conducted by a chief librarian, who never scrupled to express the most thorough contempt for men of science, and Sir Benjamin Brodie never hesitated to stigmatize this mode of doing business as fraught with confusion, delay, and discontent. With regard to the way of improving the administration, he would point to the constitution of the National Gallery. In that case, there was a Minister directly responsible to Parliament, the Estimate was moved by a responsible Minister, and the director who had the spending of the Annual Grant, was not hampered by the trustees. He was a member of the board, and attended its meetings. The trustees aided him on questions of administration, on communications with the Government in regard to new buildings, or special grants for purchases; in short, on those points in which a board was a valuable aid rather than a fetter to a director. He (Mr. Gregory) would recommend this mode of government. He would therefore advise that all that was unnecessary should be eliminated from the Trust. This would include the *ex officio* and family trustees, reserving to the latter the right of intervention, when the bequests with which they were connected were concerned. There would then remain the fifteen elected trustees, and he would suggest that they should be divided into three boards, with each of which should be associated one of the heads of the three departments, and he should be the medium of communication with the official who was directly responsible to Parliament. The great Library would thus be represented by literary men, the Antiquities by scholars, and the Natural History by men of science. Vacancies should be filled up by the Crown. He would give the head of the department supreme authority with regard to the spending of the Annual Grant. The functions of each of these small and compact boards should extend over the framing of all statutes and regulations. It should be consultative and visitatorial rather than executive. Consultative as regards special grants, increased accommodation, salaries, and such-like objects; visitatorial, so far as annually inspecting the condition and arrangement of the collections in company with their respective keepers. It should also form a final court of appeal to which any officer of the Museum who considered himself aggrieved might apply. Such a court as this could not fail to give confidence; and inasmuch as it would assist and not fetter the director, was far preferable to the autocratic government of one man. Into the wider question, whether there should be an Education Minister in Parliament, or one man of eminence out of Parliament to supervise the art and science institutions of the country he could not now enter. He hoped, too, that distinct rules would be laid down regarding the future boundaries and scope of the Museum. The drawings of the great masters should be removed, in accordance with the recommendations of the Committee of 1860, to the National Gallery, as soon as that building was fit to receive them. He thought everything relating to British history should be kept at Bloomsbury; but the Foreign Mediæval Collection—the Majolica for instance—should be sent to Kensington, for it was not desirable that two institutions should buy and exhibit the same objects, even though it might be done for different purposes. As to Ethnography, it was recommended that this portion of the collections should be removed whenever a suitable place could be obtained for it. He was sorry to say that was his recommendation in 1860, but he was ready to do penance for it. His excuse was that eight years ago the spirit of inquiry as to the condition, mode of life, and similarities of primitive races was faint, in comparison with the deep interest which has sprung up everywhere on these subjects. Instead of lessening these collections, he thought they should be strengthened and increased. If it was determined that the Natural History Collection be removed to Kensington, there would, he hoped, be a thorough overhauling of the contents of the whole establishment, for a large number of works of art and scientific objects might be distributed throughout the country. Indeed, Professor Owen informed the Committee of 1860 that a sufficient number to set up five museums could then be spared. In conclusion, his recommendations were these, that, as regards the collections which were to be retained on the present site, an effort should be made to obtain additional space at Bloomsbury, so as to carry out a systematic and chronological arrangement, and the Government should avoid the introduction of the present cumbrous system of trust into the new establishment at Kensington. He had ventured to submit these recommendations because he understood the Government were about to take action in the matter.

Mr. BERESFORD HOPE wished to confine what he had to say to the single question, why South Kensington should not be absorbed in the British Museum? He did not mean by this that the contents of the former institution should be transferred to Bloomsbury; but, as the nation had committed itself to a great collection of objects of art and antiquity, he could not see how an arbitrary line could be maintained between the institutions, except at a disadvantage to both. No doubt there was a considerable difference between the characters of the objects collected, and the administration of the two museums was very different. But if they looked at the original character of the South Kensington Museum, and considered the manner in which it had grown up, the cause of the anomaly would become manifest. That institution came into existence as a consequence of the increased attention to technical excellence, of which the Exhibition of 1851 was the symbol; and it was originally only a scholastic collection of models, for the purposes of actual teaching and copying, and was accordingly placed under the care of the Board of Trade, until transferred to the new Department of Science and Art, as it may hereafter be to that of a future Secretary of State. The means, however, at its disposal were so ample, that it soon outstripped its merely utilitarian functions, and grew up into taking rank among the greatest and most complete collections of mediæval art in the world. In this same course, however, the older museum was not idle, and it also continued accumulating its stores. These were chiefly, no doubt, collected from the fields of ancient art; but still even the British Museum was not insensible to the growing perception of the merits of the art of post-Christian ages, and it formed collections of Majolica and other classes of *vertu,* not equal to those at South Kensington; but still good enough to rob the latter of its pre-eminence as the special national exhibition of those ages of art. Accordingly in neither place was there to be found a complete history of art. We all knew from our books how Greek art developed itself and degenerated, and how Roman art developed itself out of Greek, and then was transmuted by slow degrees into Romanesque and Byzantine, and then again was doubly transmuted, or, as many people—he among them—said, was raised into the Gothic, and again how the latter was succeeded by the Renaissance, or revival of the classical, and that again gave way to general eclecticism. But when we sought to study this wonderful profession with our eyes, we found no school to go to which would teach us our whole lesson. The British Museum was all but exclusively ancient, and the South Kensington modern. Now it was against this arbitrary distinction that he protested. He desired to see the whole great national museum combined in one institution, and under one great central management, with separate departments for the different schools. In a word, he would have the capital art museums of the country catholic and not sectional. He did not mean that we could expect to have the entirety of the national collections in one building. We were living in England and not in Utopia, and there was an Abyssinian war to be paid for. The South Kensington building, with its contents, was an existing and material fact with which he had no wish to meddle. All that he suggested was that it should be incorporated with the management of the British Museum, under regulations which might combine the respective advantages of the two organizations. The advantage possessed by the British Museum consisted in its solidity and dignity, as a trust existing by itself and for itself, but in direct relation with the administration of the country and with Parliament. On the other hand, the advantage possessed by South Kensington was that of a certain elasticity and pliability—a recognition of the spirit of the age in its arrangements. For example, the plan of procuring the best *fac similes* of works of art of which we could not obtain the originals was very desirable, and constant recourse was had to this expedient in the younger institution. He need only quote the very successful cast of the great portal of the Church of Compostella. Well then, he would allow of *fac similes* at the regenerated British Museum. Again, the system of receiving on loan and of exhibiting works of art belonging to private persons, already in operation in connection with South Kensington, and the habit of sending certain of their own objects round the country were advantageous features which he would incorporate into the constitution of the enlarged institution. The plan was as good for every school of art as for that of the middle ages or the sixteenth century. Of course, if there was to be a fusion of the British Museum and of the collection side of the South Kensington one, there must be a concurrent divorce between the latter and the art schools which were now an integral portion of the institution. But this divorce might be made a positive gain to those schools. At present they had great advantages in the way of using the South Kensington treasures as objects of study. These advantages might still be preserved to them, although there had ensued a separation of administration; and not only so, but they might be extended to the use, under due regulations, of all the collections of the enlarged British Museum. Running powers, so to speak, might be given to the pupils of the central National School of Art, presumably retained at South Kensington, to study and draw at the National Museum wherever situated. On these grounds he ventured to ask, if it was not worthy of consideration, whether the Government should not face the possible benefit of transferring the strictly museum portion of the South Kensington institution to the custody of the British Museum, with a responsibility to some Minister of the Crown for the united collection?

MR. DISRAELI: Sir, the hon. Member for Galway (Mr. Gregory), in introducing this subject, always interesting to the House—with that effect which a Gentleman does who has a thorough knowledge of the matter in hand—said, he wished to know, whether the Government seriously intended to effect a separation of the collections in the British Museum? As for the inquiry whether the Government seriously intended to propose a separation of the collections now under the superintendence of the trustees of the British Museum, I can only say that we have prepared a Bill — for some time it has been prepared—and the only reason why it has not been introduced to the House is that we thought it expedient that it should be first submitted to the trustees of the British Museum, in order that we might avail ourselves of any suggestions they might make on the various subjects brought under their consideration, and that, having been put in possession of those suggestions, we might bring the subject before the House with that maturity of consideration which otherwise could not be enjoyed. This fact shows there ought not to be any doubt of our sincerity in regard to bringing about this change. We have resolved upon this change, because we think no one can doubt that so far as the opinion of Parliament — certainly so far as the opinion of the House of Commons has been expressed —the tendency is to a decision that this question, with all its difficulties, should be brought to a solution, and that no solution would be satisfactory that did not embrace a separation of those collections. The hon. Gentleman, who always takes so honourable and useful a part in these discussions, has intimated that though he himself at first hesitated, in consequence of the difficulties which presented themselves, he has arrived at the conclusion that in separation alone can we find a satisfactory solution. The state of things which now exists in the British Museum is a necessary consequence of the foundation of that institution. It was intended to be a museum of every variety of those articles which could interest society — whether of a literary kind, whether of an artistic nature, or whether of a scientific character—and which might form a great national collection. The library necessarily increased, and the collection of art, even of ancient art, every year increased by the discoveries that are made. However, there are, perhaps, limits to the collections which literature and art can furnish; but there are no limits to the collection which science — and science in the age in which we live — can produce. It having been now more than a century ago considered highly desirable that there should be in this country great collections of art, learning, and science, which should be a sort of gage or security for the possession of knowledge, we have found that it would be utterly impossible to keep up these collections in a first-rate condition, and equal to the discoveries of the age, without either separating them or finding an amount of space which is absolutely impossible and inconsistent with the social circumstances under which we live. The late Prince Consort, who was a man always meditating upon these subjects, and who had so keen a sympathy with the highest pursuits of intellect and taste, expressed that opinion in a single word — or at all events in a single sentence — when he said that what we wanted in order to do justice to the requirements of the public mind in knowledge and art was space. Well, that is the whole truth. It is quite impossible that you can maintain your national collections, as represented by the British Museum, unless you have a command of space which circumstances render wholly impossible. At the time when the Duke of Bedford pulled down his beautiful mansion at Bloomsbury, had we purchased his park and gardens, we should have had a territory at our disposal which would have admitted of the erection of a series of buildings that would have done justice to the collections which the nation, I think, is determined to possess. At that time that part was as remote from the centre of business in London as Kensington is at present, and when Montague House was purchased the same objection was made about the British Museum. But that opportunity was lost, and we may think ourselves fortunate in having gained even what we did at that time. It became necessary, therefore, to make some arrangements by which we might have at the same time a first-rate library, first-rate galleries of art, and first-rate scientific museums. They could no longer be in the same building and under the same roof, so after great investigation, much controversy, and much change of opinion, there seems to be now a general concurrence that we must submit to what, at first sight, appears a rude process—namely, the separation of our national collections. Now, the hon. Member for Galway, who at first was opposed, and naturally opposed, to this separation, wants some security that we should at least gain one great result in the appropriate arrangement of those collections of art which the country possesses, and which are certainly unrivalled. Well, I must say that Her Majesty's Government have impressed on the trustees the necessity of providing, if possible—and I believe it is possible—in the impending alterations, for a series of chronological and continued exhibitions of the progress of human invention as displayed in the great results of art in the different periods to which the hon. Gentleman has referred. The trustees, on their part, have sympathized with the Government; and I do trust that the visitor of our galleries may be able to trace, from the first dawn of the progress of human invention in works of art up to the days of the Romans, a continuous series of those great products of human ingenuity. I believe, in the plans which will be agreed on, that great result will be attained. There are, no doubt, upon the western side of the building additional means of obtaining that result, and they shall not be neglected. I trust the plans to be laid before Parliament will be such as to give satisfaction, and to effect the objects which the hon. Member has so properly insisted upon. Another point to which the hon. Gentleman has adverted, is the management of the institution. That is a subject that has been constantly before the House, and before Committees of both Houses. The hon. Gentleman has dilated upon the unwieldly character of the constitution of the British Museum. No doubt there are anomalies apparent in the arrangements; and it is a very curious thing that no constitution does appear to work in this world that has not some anomalies. But I do not think when you come to practice, that they are of so striking a character as the statement of the hon. Gentleman would induce the House to believe. The hon. Gentleman has very properly reminded us that the trustees of the British Museum consist of a variety of bodies. There are the principal trustees—persons occupying the most important positions that can be filled by Her Majesty's subjects — the Archbishop of Canterbury, the Lord Chancellor, and the Speaker — and the hon. Member asked, "How can these persons who are necessarily occupied with the fulfilment of the most important duties, have time to attend to the patronage of the British Museum, which is entirely in their hands?" The answer to that is that I believe no complaint as to the exercise of the patronage of the British Museum has ever been heard, and the individuals appointed by the principal trustees are generally acknowledged in all departments to be most competent. The hon. Gentleman has also said there are official trustees who, being high in public office, can hardly attend to the duties of the British Museum. And then there are the family trustees, and it is observed that it seems absurd that the representatives of families who might have given statues—I think we might place it higher, and say galleries or libraries—to the nation, should necessarily be managers of the national collections. And then the hon. Gentleman went on to the office of the principal librarian, omitting, I am sure, from a mere inadvertence of the moment, the elected trustees. But there exist, as the hon. Gentleman well knows, elected trustees. Now, before I touch upon the office of the principal librarian, let me remind the House that there are the principal trustees, the official trustees, the family trustees, and the elected trustees—that is to say, trustees elected by the whole body I have previously mentioned, I believe to the number of fifteen. In bringing the subject before the House it would apparently be easy to show that this is an anomalous constitution. But, practically, what happens? All this variety of trustees, making one body, elect a standing committee, on whom really devolves, subject to the control of the principal trustees, the complete administration of the British Museum. Therefore, there is a powerful and vigorous administration, with an unity of purpose certainly not excelled, and rarely equalled, by any body that administers public affairs. The conclusions, therefore, which the hon. Gentleman would draw from the fact of there being family trustees and official trustees with clashing powers and influence do not really apply to the existing state of things. The British Museum is administered by an elected standing committee, chosen by the great body of the trustees —it is, in fact, a cabinet of trustees, who have complete authority, subject to a control to which it is desirable all bodies should have to submit, but with a power of appeal, if necessary. And when we consider the value of the collections which they have accumulated, the able persons they have appointed to manage those collections, and the general result in every respect, we must all agree that they have efficiently performed their duty. Therefore, the administration is by no means, as the hon. Gentleman wished the House to assume, a cumbrous administration, or one that does not act efficiently. The hon. Gentleman seemed to convey to the House that the administration was of a cumbrous character; because, if a collection of books or manuscripts, for example, was to be purchased, the heads of the department would have to correspond with the trustees, and the trustees with the heads of the department, considerable time would be wasted, and perhaps opportunities lost. But really nothing of the kind occurs. The communications are direct, the decisions are prompt. If the head of the manuscript department hears that there are certain valuable manuscripts for sale which ought to be purchased for the nation, he immediately communicates with the trustees, whose meetings are frequent, and the moment the application is before them they decide without having any correspondence with the head of the department. If they wish to see him they summon him to their board and communicate with him there. If, as is often the case, his statement is sufficient, they decide on it at once, and the manuscripts are purchased. Therefore, the House would be under a completely erroneous impression if they were to think that there is a cumbrous administration, whose work is marked by procrastination and delay. On the contrary, the administration is simple in its character and very prompt in its decisions, and no correspondence of any kind takes place between the acting committee and the heads of departments. Then, the hon. Gentleman would convey to the House that the principal librarian exercises an extraordinary power, and that, in fact, he is the principal manager of the British Museum. That also is an erroneous impression. There is no doubt that the librarian, occupying a very responsible post, filled always by a gentleman of considerable intelligence, exercises an adequate influence in the management of the British Museum; and he ought to exercise such an influence. Moreover, when a post of that kind is filled by a man of a very remarkable character, he will, of course, have greater weight than that usually possessed by persons filling that department. Mr. Panizzi, who is no longer the principal librarian, is a man of most eminent ability, who has, I believe, done great and good service to this country, and probably we shall not easily find a man of equal vigour and variety of mind again in that position. The gentleman who now occupies it has obtained that post by proofs of eminent talent and by most sedulous and praiseworthy fulfilment of his duties. He is perfectly competent to perform the duties of principal librarian, and is worthy of all confidence. But to contend for a moment that the principal librarian at the British Museum is, under any circumstances, and even in the time of Mr. Panizzi, a sort of despot, is an exaggeration which ought not to be imported into Parliamentary debate. The trustees of the British Museum elect their acting committee, and there is no body of men in this country who take a more direct part in the affairs which they have to administer. It was necessary to make these observations because the hon. Gentleman is very anxious to know whether, when this separation takes place, the separated collections will be under the superintendence and control of the trustees. Now, that is a point which it is for the House of Commons, when they get into Committee upon the Bill, to decide. It is not at all a principle of the measure which we are going to bring forward; the principle of that measure is the separation of the collections. If the House agrees to separate the collections, under the circumstances which the Bill will provide, then in Committee we will fairly and candidly discuss with the House what is the best course which ought to be taken. At present, I do not think that we ought to pledge ourselves upon that subject in any way whatever. If, when the plan is placed before them, the House should be of opinion that it is inconsistent with the present constitution of the trustees that they should exercise any control over that part of the collection which will be established at Kensington, it will be perfectly open to the House to make proposals in Committee accordingly. But it would be premature to express any opinion upon that subject until the House has before them the proposals of the Government, which I hope may soon be made, and until the House see the arrangements for the separation of the collections and the duties which will then devolve upon those who have the administration of affairs. I am not sorry that the hon. Gentleman has brought this subject under the consideration of the House. The separation of collections, which we have now for upwards of a century been gradually forming in one particular portion of the metropolis, which by their great richness and variety command a more than European reputation, and which, I believe I may say without exaggeration, are quite unequalled in any country—this is a subject upon which it is highly important that the House should form an accurate and just view. The hon. Gentleman himself has now for a series of years devoted a great deal of his intelligence to this subject, and there is no one who can speak upon it with greater authority. He has acted upon several Committees of great importance. As one of the trustees of the National Gallery he has personal experience of the mode in which public collections can be managed, and I know well that in that department he has shown singular ability and efficiency. But while I admit it is well that our attention should be called to this subject, the House for the present will allow me to impress upon them that it is unwise that we should, in the present state of our information, enter into any engagements. It is better to wait until the Bill of the Government is fairly before the House. At present, I will only say that, so far as regards the collection to which the hon. Gentleman has particularly adverted, it is the strong wish of the Government, and I believe it is also the wish of the trustees, that that chronological arrangement which has been well described by the hon. Member for Galway should be obtained. That is one of the great objects of separating the collections; and with regard to the control which may be exercised over that portion of the collection which may be transferred to Kensington, we shall, on the part of the Government, consider it a question which it is perfectly open to the House to discuss when the time comes for deciding in what manner this collection should be administered.

MR. GREGORY wished to say, in explanation, thad he had never represented the principal librarian as "a despot." What he had said was, that it was impossible that any one man could be found capable of understanding and managing three great departments, such as the library, the natural history, and the antiquities.

## SYSTEMS OF GOVERNMENT IN INDIA.

### OBSERVATIONS.

LORD WILLIAM HAY said, he rose to call the attention of the House to the Correspondence respecting British and Native systems of Government in India. It spoke well for the future prosperity of that country that our representative in India did not shrink from calling upon his officers to inquire into and report upon the popularity of our rule. Self-knowledge was as important in a State as it was in an individual; and we might consider ourselves under an obligation to Sir John Lawrence for giving us an opportunity of seeing ourselves, even if through a somewhat distorted medium, as our subjects in India see us. This was a fitting time to turn our attention to the question. Ten years ago the Government of India was transferred from a corporation, which had enjoyed it for more than 250 years, to the Crown. True, in 1784 a Minister was appointed, with a seat in Parliament and with great authority in Indian matters; but up to 1858, when the transfer took place, practically all that Parliament did was to give advice to the Company. He would not complain of the very decided opinion expressed by the Governor General in the demi-official circular which he issued to his officers in connection with this subject; but he was disposed to regret the interpretation placed on the speech of the noble Viscount (Viscount Cranborne) which originated the inquiry. That interpretation, he thought, was calculated to mislead those to whom the circular was addressed. The noble Viscount was represented to have said, he doubted—

> "Whether the system of British administration in India possessed, in the estimation of the Natives, any superiority over the method of government pursued in the independent States."

Now all that the noble Viscount asserted in his speech was, not that Native rule was, in the estimation of the Natives, superior to British rule; but that British rule was not as perfect as it was supposed to be, but, on the contrary, was susceptible of great improvement. It was also to be regretted that the question was placed as it was before the officers whose opinion was invited; and that they should have been called on to express an opinion on the merits of rule in Native States as compared with rule in British States, for this excellent reason that such a thing as a Native State governed on a system peculiar to the Natives did not exist. Take, for example, the cases of Travancore and Putiala, quoted as excellent specimens of Native administration; now what was the history of Travancore? why so disordered was the Government in 1811, that the British resident, at the solicitation of the Native authorities, assumed the management of the State. Colonel, afterwards Sir Thomas, Monro, was sent there as Prime Minister and during his administration, and that of his successor, which extended over sixteen or seventeen years, the foundation of the prosperity of the country was laid. As to Putiala, it was the very child of British rule, and its good government was the fruit of the advice, occasionally of the direct interference, of such men as Sir George Clark and the two Lawrences. The same might be said of many other Native States. If, therefore, we would be just to ourselves, we ought to institute a comparison not between our Government, and that of the Native States as they at present exist, but that of a State like the Punjab before our influence had extended so far. What was the condition of the Punjab under the rule of Runjeet Singh, one of the most able, energetic, and liberal-minded of Native rulers? An acute and critical French traveller, M. Jacquemont, who always expressed himself with great freedom on the subject of British rule, and who must be regarded as a most impartial witness, wrote in these terms—

> "One must have travelled in the Punjab to know what an immense benefit to humanity the English dominion in India is. I cannot witness the frightful evils of such a system without ardently desiring to see the English extending their frontier from the Sutlej to the Indus, and the Russians occupying the other bank."

This was a very important testimony, for it came from a perfectly independent witness, as to the comparative merits of English and Native rule. In investigating this subject we ought to take into consideration the state of helpless decrepitude into which the Native Governments had fallen before we set foot in the country. That decrepitude was owing to the operation of a despotism the most complete and degrading that had ever been devised—he alluded to the despotic Government which owed its origin to the Brahmins. Every spark of public spirit and national feeling was under its influence extirpated. The surplus wealth of the country was, through the interested avarice of the priests, collected into a few favoured spots; but left so completely unprotected by natural or artificial means as to present to the unscrupulous adventurer a booty, the value of which was in no way diminished by the absence of all risk in its acquisition. The consequence was that the first foreign invader that set foot in the country overturned the Hindoo Government, which fell to pieces like a house of cards. It was a consoling fact that, in almost every instance where we had established our authority in India, we had displaced, not the ancient Hindoo rulers, but men who were just as much invaders as ourselves. This was an answer to those who cited as a proof of the ill-success of our system the fact that the Natives of Mysore would prefer the rule of their old hereditary chiefs to British rule. They seem to forget that but for the ascendancy of the British, the choice would be not between the Government of an hereditary chief and the Government of the English, but between the Government of a Mahomedan, like Hyder Ali; a Mahratta, like Sevajee, or a Sikh, like Runjeet Singh. The real difference between Native rule and British rule was this—British rule was progressive, whereas Native rule was retrogressive. British rule had a capacity for improvement; Native rule had not. British rulers were aware of great faults and defects in their Government, and were always devising means by which to rectify those faults; but Native rulers were either unconscious of defects in their system of government or, if conscious of them, took no steps to remove them. Now, the vital question was, what were the real defects of our rule in India? We knew that it possessed great merits. We were aware, for instance, that we had protected the Natives from foreign invasion, and that property was as secure in India as in Europe, if not more so. That peace reigned throughout a country where for centuries anarchy had prevailed. That the Thug or the Dakoit was as rare as a highwayman on Hampstead Heath. That railroads traversed what a few years ago were pathless jungles. That upwards of 50,000,000 of letters were delivered annually in a country where only the other day not so many thousands were conveyed at enormous cost and with great irregularity; and above all, we knew that we had revived in the minds of the Natives a belief in the existence of such a thing as the impartial administration of justice. We were aware, too, that a certain amount of discontent and disaffection must always prevail. That one kind of discontent and disaffection was rather a mark of good government than the contrary; for it was a sign that the people were beginning to awake from their lethargy, and becoming conscious that there was a condition better than that which they had been accustomed to. That another kind of discontent existed in the minds of those who felt that we had supplanted them, who regarded every law we passed, every school we opened, and everything we did calculated to promote the happiness of the people, as an additional offence committed by us. Just as in the olden time a priest had said of printing, "We must root out this printing or it will root us out,'' so there were Brahmin or Mahomedan priests, who said in their hearts, We must root out these English, or they will root us out. Yet, making due allowance for such feelings and such considerations, if he were asked whether we were losing ground in the affections and confidence of the people of India, he was afraid that he should be obliged to reply in the affirmative. Mr. Roberts, one of the most experienced men in India, remarked that the gulf was widening every day between the governors and the governed, which, of course, meant a want of sympathy between the two classes. This opinion was confirmed by Sir Robert Montgomery and Sir Richard Wingfield, who, above all men, had done their very utmost to bridge over this gulf. The question—"What is the defect of our government in the East?" was not a difficult one to answer. It appeared to him that we had shown a tendency to impose on the subject-race laws and institutions which were not suitable to them; that we had forgotten the fact that India was not a one nation, but many nations, numbering 150,000,000 of people, some of whom were scarcely removed from mere animals, while others were, in point of intellectual capacity, at least, capable of bearing a comparison with the foremost youth of this country. This tendency tainted the whole of our administration in India, and led to hasty and ill-considered legislation. It affected our financial system, our sanitary measures, and even those which were intended to develope the resources of India, and to improve the moral and material condition of its people. Down to 1858 there were certain checks upon the Indian Government in this respect. During that period we were extending our rule, and we considered it desirable to conciliate the people and avoid giving them offence; and if we did introduce new laws we gave the people time to get accustomed to them. Their feelings were not then wounded, as they were now, by the rapid introduction of new laws. In Lord Wellesley's correspondence there would be found scarcely a single Minute relating to the internal administration of the British possesssions; and Lord Hardinge is alleged to have made it a stipulation that he should have nothing to do with civil questions. Such was not the case at present, and the whole time of the officers of the Indian Government appeared to be devoted to the manufacture of laws for the Natives. For this purpose there was a machine going at the head-quarters of every Presidency, and one great machine at Calcutta, all of which turned out laws with mischievous rapidity. A paper in the Library of that House, entitled, *Reports of the Course of Legislation during the official year of* 1866-7, contained a list of thirty-three Bills to be introduced. He would not trouble the House by stating the objects of all of them, but he might mention, by way of example, that one of the measures affected the law of inheritance throughout the whole of India, a second consolidated and amended the law relating to the stamp duties, or, in other words, increased very largely the cost of justice. A third was to provide for the uniformity of weights and measures throughout India. Bills of this character, touching the prejudices and affecting the usages of the people of England, would give rise to no apprehension, because everybody in this country knew that no Bill of the kind could possibly pass into law unless a very large majority of the people approved of it, and not until ample opportunity had been afforded of understanding its scope and discussing its merits. But nothing of that sort was the case in India, where, on the contrary, out of the 150,000,000 people under the sway of the Indian Government not more than 1,000,000—and that was making a very liberal allowance—had the remotest idea of what was going to be proposed for them in the way of legislation. Again, as an instance of the undue severity of the criminal law in India, he would refer to the Cotton Frauds Act, which was, in fact, an Act for the benefit of the rich merchants of this country. Well, no doubt, it was right to check the adulteration of raw cotton; but was it not a little unfair to the ignorant ryot to throw him into gaol, because he was guilty of "mixing one quality of cotton with another quality of the same variety,'' while the wealthy merchants of this country might, with impunity, send out to India shipload after shipload of cotton goods literally rotting from the deleterious substances applied to them, and utterly unfit for any purpose other than to proclaim throughout the length and breadth of the land—from the bazaars of Calcutta to the bazaars of Bokhara—that the honour of the British merchant belonged to the things of the past? He should like to say one word with respect to the criminal and civil procedure in the British possessions in India. These possessions were divided into regulation provinces and non-regulation provinces, the latter being about one-third of the whole. The difference between the two classes of provinces might be illustrated by saying that in the non-regulation provinces they could, but in the regulation provinces they could not, "temper the wind to the shorn lamb." That was to say, that, in the former, the executive had power to adapt the laws to the peculiarities and characteristics of the people, whereas, in the latter, they had no such power. It was notorious that our rule in the regulation, as compared with our rule in the non-regulation provinces, was considered oppressive. In the old provinces, however, the people had grown up under the system and had become accustomed to it; but the mistake had been made of extending the regulation principle to the non-regulation provinces, where the people were less tractable and less likely to accommodate themselves to new and unsuitable laws. Sir Robert Montgomery expressed the dread with which he viewed the approach of what he termed the regulation wave. One of the most marked effects of that system was that the public officers were confined to their offices from morning to night, and had no time whatever to make themselves acquainted with the feelings and habits of the Natives. He would ask how England would like to be governed by rulers who knew nothing about her customs and sentiments but what they learnt from sitting in the Old Bailey, or in the Court of Queen's Bench? It might be said, and very truly, that a great deal had been done in developing the resources of India by the formation of railways and canals, and by the cultivation of tea and coffee; but there were circumstances attending that development calculated to make the Government unpopular. Among those circumstances was the enormous increase in the price of the necessaries of life. This increase of price extended all over India. The Madras Report for 1865-6 stated that the chief articles of food had steadily advanced in price, and were 50 per cent higher than they were five years ago. In a statement sent from Nagpore it was mentioned that during the last six years prices had risen cent per cent in all districts, in many 500 per cent, and in one 700 per cent. It was also reported from the Punjab that a considerable rise had taken place in the price of wheat. This advance in prices had, according to the Madras Report, an unfavourable effect on the health of the people, especially of the lower orders. Sir Richard Temple reported that the extent to which women embraced hard out-door labour was a proof of the struggle that was necessary to earn a subsistence. Mr. Roberts, in his paper, which was included among those which had been produced, said he had long been under the impression that the mortality among the Natives was excessive, and this confirmed the notion that prevailed so much among the Natives that sickness had increased under our rule. It was quite true that wages had risen considerably in some parts, but not as generally as was supposed. The pay of the Sepoys had not risen at all, and when it was remembered that whereas only a few years ago the pay of the Sepoy was considerably in excess of the wages of an ordinary labourer, and that now it is considerably below that mark, little surprise would be excited by the announcement that the Native army is in anything but a satisfactory or contented state. The stimulus given to trade had also had the effect of draining the country for several years past of its supplies of grain. It had been exported to the Mauritius and other places, and very frequently none could be procured when it was required. Another article which had enormously increased in price, and was almost as necessary as food, was fuel. In India, where there was scarcely any coal or iron, there was an enormous and rapidly increasing consumption of timber and fuel consequent on the construction of railroads, canals, and works of that description; the hills were being denuded of forests, and an engineer officer had given it as his opinion that if some check were not imposed, upon the wholesale clearings in the Coorg mountains, Tanjore, which was regarded as the very garden of the East, would be rendered a perfect desert. He might be told that a great deal had been done to secure proper forest conservancy, that experienced officers had been appointed to look after this matter; but he spoke advisedly when he said that, practically, nothing had been done to repair the mischief which the cutting down of forests and jungles was producing throughout India. The practical inference was, not to discourage the prosecution of public works, but that, as soon as the main lines of railway were completed, Government should turn its attention to what was most important if not more important—namely, the improvement of the ordinary communications of the country, and to works which might be carried on without the evil effects referred to. For example, instead of spending millions in the construction of costly canals, the benefits of which must necessarily be local, it would be a wiser policy if advances of money were made for the construction of smaller works, such as wells, dams, and tanks, which might be constructed by the Natives themselves, which required no large and expensive engineering staff, and no contractors bent on making large profits. The expenditure involved in these works, instead of being confined to particular spots, would have the great merit of being spread evenly throughout the country. To turn to another subject, one might suppose that if there were any means by which we could ingratiate ourselves among the Natives it would be by our superior knowledge of medicine. We had acted in regard to this very much as with regard to other matters, as if the constitution of the Native was exactly like our own, and the consequence was that there was not, beyond the Presidency towns, a single hospital or dispensary that had the confidence of the people of India except, perhaps, the Homœopathic Hospital in Benares. Again, what had we done with reference to smallpox? We knew how to protect the Natives of India from its ravages; and yet we not only neglected to provide the requisite measures, but we prohibited by law what was better than nothing—namely, the practice of inoculation. The Bengal Sanitary Commission reported that before the adoption by the Bengal Government of the Prohibitory Act, 85 per cent of the population had been protected by inoculation, so that the effect of this Act was that if a Native inoculated his child he ran the risk of being put into prison, and if he did not do so the child ran the risk of being carried off by the smallpox. Then, again, look at the sanitary regulations recently promulgated; we discovered, not long ago, that we had been killing our English soldiers at the rate of 70 per 1,000, through the neglect of the most obvious rules of health, and so we suddenly turned round and inflicted on the people of India a collection of regulations, which, if enforced in England, would provoke a riot in every town, and have not led to a similar result in India, only because the people are patient and longsuffering. He would give a single instance. One of the regulations was this—

> "If there be any trees on the village site or within 100 yards round it, cut off every year those branches within 20 feet of the ground, and lop and prune away branches within 12 yards of the ground."

Now, there was scarcely a village in India in which were not to be found trees of a peculiar character, such as the *ficus religiosa,* the *ficus Indica,* trees which afforded a grateful shade, and which were regarded by all classes as objects of religious veneration; and yet the branches of these trees—which the Natives themselves would rather die than touch—were to be ruthlessly cut away upon the absurd plea that they affected injuriously the health of the inhabitants. He further wished to say a few words respecting our financial system in India, and more especially with regard to the system of taxation which had been introduced within the last few years; and in doing so he would pass over the glaring injustice of imposing the same taxes upon the province of Bombay, the land revenue of which was settled the other day, as upon the province of Bengal where the revenues had been settled many years before, and was consequently very much more light. He referred to such taxes as the Income and Licence Tax. If those taxes produced a very considerable amount of revenue to the Exchequer, there might be some excuse for levying them; but the fact was that for the last eight or ten years they had not realized more than £1,000,000 per annum from a country nearly as large as Europe. Then there was the Salt Tax. Now salt was, of course, as great a necessary in India as in any other country, and yet in the north of India we levied a duty upon that article which amounted to 2,000 per cent on its cost. This was a very important consideration at the present moment, when we were bullying—for he could use no other word—the Rajah of Cashmere, and were, in the opinion of some persons, taking the first steps towards annexing his country, because he happened to be levying a rather large transit duty upon an article which we coveted—namely, the wool grown in Thibet. This enormous tax upon salt was the most unjust imposition which any ruler, whether Native or foreign, had ever laid upon the poor of India, since it almost deprived them of the use of a necessary of life. It was impossible to doubt that the defects in our system of Government, to which he had thus briefly alluded, were very much increased by the fact that we neglected to take counsel with the Natives, and by the disinclination we showed to employ them in the administration of the country. The Native sentiment on this head was set forth so distinctly and so admirably in a petition which was presented a year or two back by the landholders of the Alygurh district to the Government of the North-West Provinces, with respect to the disposal of the education fund, that he trusted the House would allow him to read a few extracts from it. In the petition, which must be regarded as expressing the opinion of every Native Indian, the petitioners said—

> "That while your petitioners pay for the expenses of education, it is obviously a hardship that they should not be allowed to take any part in the management of the system, or exercise any control over the disbursement of the funds. It is very mortifying to them to find that they are not consulted on any points connected therewith, and that, notwithstanding their having to provide funds, they know nothing as to the manner and purposes in which those funds are expended."

They go on to propose that a committee, consisting of landowners and presided over by district officers, be appointed. They urge that the following important advantages will result from these propositions:—

> "That the admission of Natives to the executive management will make them conversant with the details of the education system, will show them the real motives the Government have in view in educating the people, and, having this knowledge, they will reject all those unfounded prejudices and suspicions, the existence of which is not unknown to the Government; that the higher classes will become warmly interested in the pursuit of knowledge, and will heartily cooperate in diffusing its benefits far and wide; that the Natives will become better acquainted with the liberal views and intentions of Government, and that eventually our schools and colleges will be filled with a much greater number of children of respectable families than are found in them at present—a result most important and beneficial to the Government and to the public."

That petition expressed the feelings of the Natives throughout the land, not only with regard to money devoted to educational purposes, but with regard to many other subjects. He would give one or two examples of what could be done by working through the Natives. When the cholera made its appearance in the town of Lahore some few years ago, it was considered desirable to whitewash the houses, and more especially those of the poorer classes, and accordingly an order was issued to that effect, and an officer was deputed to see how far that order was carried out. The order was not carried out at all. Here and there a little whitewash was sprinkled on the walls, but speaking generally it was disregarded. About the same time it was considered very desirable that the ramparts of the town and the waste lands in its vicinity should be turned into gardens for the use of the people; but the project failed, in consequence of the impossibility of raising the requisite funds. In the course of time, however, Natives of distinction were appointed honorary magistrates, with certain specified powers, which enabled them to assume an honourable and influential position. And what was the result of those appointments? He had the authority of a distinguished Indian officer for saying that the next time the cholera approached them and the order to whitewash the houses was issued, it was carried into effect within twenty-four hours; and again, when it was proposed to establish gardens in the neighbourhood of the town the sum of £10,000 was subscribed for the purpose in a very short time. Seeing what good results had flowed from the appointment of Native magistrates in the cases to which he had referred, it seemed indispensable that we should establish some machinery by means of which we might ascertain and carry with us the public opinion of the Natives of India. Some scheme of the kind, suggested in a paper by Sir Robert Montgomery, combined with a system of rewards so strongly recommended by Sir Donald Macleod, would be of the greatest advantage to our Indian Government. In conclusion, then, he would say that it appeared to him that the great defect in our administration was that we endeavoured to impose our rules and institutions upon a people not fitted to receive them. We should check, therefore, our legislative machinery, and devote more attention to the Executive. It appeared to him to be of comparatively little importance whether or not a Bill for the regulation of inheritances in India were introduced for the next fifty years, so long as justice was to be obtained cheaply and promptly. Whether the introduction of a uniform system of weights and measures was deferred until, at least, we had ourselves adopted such a system, so long as our officers had leisure to enforce the honest use of those already in existence. The Native mind, it had been truly said, centred in men and not in systems; we should therefore think more about training our officials than about manufacturing a perfect system of Government. He had endeavoured to show what could be done with the Natives if we treated them properly. Because Russia on the north and France on the south were advancing to our frontiers, it was not wise that we should think of nothing but defending those frontiers, and of maintaining what was called our military prestige. He believed that at no time had there been a less inclination on the part of foreign Powers to interfere with our rule in India that at the present moment. There was a period when we looked with feelings of fear and jealousy upon the movements of those Powers. Such feelings, however, he was glad to say, were passing away, and giving place to something akin to generous rivalry. He might be considered credulous, but he cared not—not because he was indifferent to the danger arising from a foreign foe; not because he was unmindful that we should dwell with our friends as if one day they might become our enemies, but because he had a firm belief in the great truth—a truth too apt to be forgotten because it had become a truism—that, whether in Europe or in Asia, in Ireland or in India, the only security and safety for our rule was to be found in the happiness and contentment of the people; and that it would avail us nothing in the time of our need, that we had spent thousands upon thousands on the fortifications of Peshawur, or millions upon an Abyssinian Expedition, if in the hour of their supreme distress we allowed our Native subjects to perish wholesale—by the slow process of starvation—within sight of the walls of Calcutta. It appeared to him that the time when we could hold India in subjection by what Lord Erskine called the knavery and strength of civilization, had long passed away. It was quite impossible—and this might be said to our credit—because we had educated and were still educating the people of India, because we were setting our own example before their eyes, and were teaching them the history of our own institutions—it was quite impossible for us to hope to rule them in any other way but in the true spirit of our own institutions. He believed sincerely that we were making the great mistake of endeavouring to rule them in the letter, and not in the spirit of our own institutions; and it was because he entertained this opinion that he had ventured thus to trespass on the time of the House.

MR. SMOLLETT said, it was not his intention to follow the noble Lord the Member for Taunton (Lord William Hay) in his very discursive speech. His object rather was to call the attention of the House to the very extraordinary manner in which the Correspondence originated which that noble Lord had made the text of his address to them. On the 24th of May, 1867, a debate was brought on in that House upon the succession to the Mysore Raj, and on that occasion the noble Viscount the Member for Stamford (Viscount Cranborne) supported the policy which Her Majesty's Ministers had adopted on that subject, and he incidentally mentioned in his speech—quoting the authority of Sir George Clark on the point—that on many occasions in India great multitudes of people were transferred from Native to European rule without their feelings being in any way consulted; and he added that that transfer was sometimes made in a manner flattering neither to their temper nor their taste. In making observations of that nature and in arguing from them the noble Viscount was only stating a perfect truism. The facts thus referred to were undeniable, and Sir John Lawrence must have known those facts. The noble Viscount did not say that, through its vices and defects, our rule brought famine and misery in its train, but that, although the British Government was unpalatable in many cases to the people of India, nevertheless, every opportunity was taken for extending that rule and bringing fresh nations under our authority. When generous sentiments of that nature towards the people of India were enunciated by ordinary persons, with the name, perhaps, of Brown, Jones, or Robinson, nobody thought anything of them, and they passed unnoticed; but when they emanated from a noble Viscount who held a high position in the Ministry of the Earl of Derby they produced a great sensation. When the noble Viscount's speech reached India, the Viceroy seemed almost to have been frightened out of his propriety, and to have thought that the noble Viscount had been teaching nothing less than treason. Accordingly, his Excellency could not help taking the very earliest opportunity of producing an antidote to that seditious speech, and he adopted a very peculiar mode of meeting the noble Viscount's statements. In his own language, Sir John Lawrence said that as there appeared so much to be said on the opposite side of the question he had caused a confidential circular to be issued by his Under-Secretary in the Foreign Department, calling upon various officers of mark throughout our Indian Empire to submit to him an expression of their respective opinions on that matter. Now he thought it was a very silly thing for a Viceroy of India to treat the speech of the noble Viscount in that fashion; but his Excellency took a very peculiar way of his own in bringing that subject before the subordinate officers of his political department. He availed himself of the opportunity, in sending that semi-official circular, to state to those subordinate officers his own opinions, and he stated them very tersely indeed. His Excellency said that he was of opinion that the masses of the people in India were incontestably more prosperous under our rule, "*sua si bona norint*"—which, when translated, meant, "if they were not great jackasses," and were also more happy than they could be under Native rulers. But his Excellency did not stop there. He told his subordinates that that was a good opportunity for proving the truth of his opinion by the collection of statistics from all parts of India. Now, when a man occupying the high position of the Viceroy thus indicated to his subordinates the nature of his own opinions and the nature of the opinions which he expected them to submit to him, it was not wonderful that in the Correspondence which was sent in he should get a great amount of information entirely confirmatory of his own views. The only wonder was that he should have found one or two gentlemen in India who stated views that were opposed to his own, and that in the case of Mysore—the country to which that Correspondence related—he received from a very high official in that State an answer wholly at variance with his own views, and one which must have filled his Excellency with something like dismay. He would ask why or for what purpose the Viceroy thus fumed and fretted when he read the speech of the noble Viscount? His ostensible object seemed to have been to endeavour to confute its statements. That was alleged to have been his primary object, but the real object was something a little different. He (Mr. Smollett) thought the Viceroy wanted to have in that compilation of papers, a concentration of opinion on which he might on some future occasion found an appeal to the English people: he wished to have a lever by which he might be enabled to say to them, "If you desire to govern the people of India on the true Benthamite principle of the greatest happiness for the greatest number, the only way in which you can do this is by seizing all the Native States and annexing them to your territory, and by subduing those that are really independent." The plain inference to be drawn from the statements of Sir John Lawrence and his satellites was, that the decision come to last year by the right hon. Baronet the Secretary of State for India connected with Mysore was a very fallacious judgment. Sir John Lawrence was a man who had always been famed for his friendliness to the policy of annexation. His Excellency seemed to have been foiled by the curious answer sent in by Lieutenant Colonel T. Clark from Mysore. Let them look at the way in which that Correspondence had been printed and circulated in India and had been received in that country. Let them also look at the way in which it was treated now by the advocates of annexation. He would not quote any extracts from the Indian newspapers; but would refer to what was published in the City of London on Monday last. On the 23rd of March, a letter appeared in the *The Times*, dated Calcutta, February 24th, from the Calcutta correspondent of the leading journal, and in that letter reference was largely made to that official Correspondence. The writer said it had attracted great attention in India, and considerable attention also in Mysore; that the people of Mysore were all agog about that Correspondence; that the coffee-planters of that district—and there were a great number of them—had taken alarm. Those coffee-planters were said to have been representing that the right hon. Baronet the Secretary of State for India, by his recognition of a native young man as the successor in the Raj of Mysore, had committed a gross breach of faith. They said that their titles to their possessions in that country were now questioned. They stated that their possessions were not saleable—or, at least, not saleable at their true value—in consequence of our continuing the native Government of Mysore. And the writer said that the officials in Mysore sympathized with the poor plundered planters. That they might well do, for their situations were not permanent, and therefore they grumbled. It was by no means improbable that they might at some distant period claim compensation for loss of property. But the writer closed with the significant notification that these things were sure to be the source of no little future trouble to the authorities at Calcutta and in this country. The meaning of that was simply this—that these troubles would be made a lever at some peculiar period with a view to endeavouring to have the decision of the right hon. Baronet reversed—a decision approved at the time by every hon. Member, he believed, except, perhaps, the hon. Member for the Wick boroughs (Mr. Laing). That was, in his opinion, the real reason why that Correspondence was compiled ; and he believed that it was not drawn up with a view to refuting the opinions of the noble Viscount the Member for Stamford. Now, in the course of the debate last year, he had told the right hon. Baronet that he entirely approved his policy ; but that, if he intended to carry it out, he must be firm, and he did not think that firmness was one of the chief characteristics of the right hon. Baronet. On that occasion he also said that, in his opinion, the great majority of the people of Mysore approved his policy. He thought now that if the right hon. Baronet would stand firm, he need not fear any trouble hereafter on the subject. The story of the planters, which had been dwelt upon so much as the cause of future trouble, was mere rubbish. He knew many of them in this country, and was in the habit of associating with them ; and, as far as his knowledge extended, every one of them was friendly to a Native dynasty in Mysore. Last year he had ventured to state that if a plébiscite were taken in Mysore, ninety-nine out of every 100 of the Native inhabitants would vote for the continuance of the Native dynasty ; and, if there was any doubt about it then, there could be no doubt about it now. Lieutenant Colonel Clark, whom he had known for many years, and whose opinion was entitled to great consideration, said—

> "I am bound to say that the people generally believe, however erroneous that belief in my opinion may be, that they would be much happier under a Native ruler than they are under the present *régime*. This feeling has been increasing in intensity of late years."

Colonel Clark added that the principal reason for this feeling was, that we had been introducing the forms of our Courts of Law into that country, and that they were unpopular. Colonel Clark admitted the commercial advantages which had resulted to Mysore — that the country was prosperous—and he said—

> "But the people still regard us as exacting and unsympathizing masters."

He added, moreover,—

> "The great mass of the people sigh for the return of their old forms and institutions, which, with some slight modifications, are admirably adapted to their requirements."

With that opinion of Colonel Clark, he thought the right hon. Baronet should adhere to his determination, and listen to no efforts which might be made by annexationists with a view to induce him to alter his policy. He might rely upon it that in remaining firm he would receive the support of the House and the country; and the best thing he could possibly do was to consign the Correspondence collected and sent by Sir John Lawrence to the waste paper basket.

MR. FAWCETT said, that the censure passed on the Governor General of India was undeserved. He (Mr. Fawcett) believed he had collected those papers from the best motives, and a more able collection of State papers had never been gathered together. Although a political opponent, he was grateful to the late Secretary of State for India for his admirable speech which had brought this Correspondence into existence. He (Mr. Fawcett) thought it could not be denied that these officials had, at all events, not hesitated to say boldly in what respects our administration in India could be improved. He knew not which to admire most — their wonderful ability or their extraordinary candour; and they urged with most consummate skill the views of the noble Viscount, and pointed out that the Governor General had somewhat misunderstood him. There could be no doubt that our rule had made India materially more prosperous ; but it did not follow that the people were more happy. One need not necessarily follow the other. Our rule in India had greatly increased the prosperity of India in three distinct ways —first, it had undoubtedly given greater security to property; secondly, we had improved the means of locomotion ; and, thirdly, which was the most important, we had made the cultivators of the soil more prosperous and contented; and we might say that giving security of tenure and proprietary rights in the soil had increased the loyalty of the people of India. It was said by our officials that the reason why the people of India were not happy was because our administration in that country was often unsympathizing and uncompromising; in fact, that our fault seemed to be much more of the head than the heart, and that India was suffering from an excess of centralization. The fact was too frequently ignored that the rules of political economy were not, like the laws of motion, capable of universal application. In fact that the opinions of the right hon. Gentleman the Member for Calne (Mr. Lowe) were carried out to an unfortunate extent in India. What was considered economical and good for England was considered equally so for India. The great point insisted on by the officials in this Correspondence was, that we should never make the people of India—however prosperous they might become—so contented with our rule as they might be, until the Natives of rank and ability were more fully admitted to social honours and municipal offices than they were at present. By so doing we should diminish the rigidity of our centralization system, and make our laws, as it were, the bond of feeling and custom between us and the different nations which lived under our rule in India. Sir Robert Montgomery, alluding to the spread of education in India, implied that we incurred a great responsibility; because if we educated the people, and developed their intellect, and gave them a desire to take part in the administration of the country, our injustice to them was heightened if we stamped out that desire thus created. In one of the despatches it was said we erred not so much from bad intention as from want of sympathy; but he ventured to say, that as the people of India became educated, and were fully admitted to share in the government of the country, our sympathy with them would increase—for sympathy was produced by respect. In speaking of our shortcomings towards India, we must not dwell so much on this or that bad law, or point to the fact that some Native Princes had been perhaps too hastily and unduly annexed to our Government; but we had much to answer for in speaking opprobriously of the people of India as a set of niggers. To make them contented with our government, we must not only give them good laws and an equitable system of taxation, but we must respect them as they deserved to be respected. We ought not to consider them as a barbarous race; but consider that when England was in a state of barbarism, India had a civilization of her own, and that she possessed a remarkable language that had produced an illustrious literature. The test of the efficiency and excellence of our rule in India was, whether we had done our duty in preparing the people of India ultimately to govern themselves, so that when we left that country we might say that we had discharged our duty by giving them so much of our civilization that in future they might become a greater and a happier nation than they were before they felt the effects of our dominion.

VISCOUNT CRANBORNE: I should not wish to prolong this debate by a single word if I had not a personal reason. But as the Viceroy of India has been good enough to spread throughout the length and breadth of India that I took occasion to doubt whether the system of British administration possessed, in the estimation of the Natives, any superiority over the method of government pursued in the independent States, I hope that I may be allowed to say in this place that I never said anything of the kind. I have no doubt the Viceroy drew his impression from an imperfect Report; but what I said was of a much more modest character. What I said was—

> "I am not denying that our mission in India is to reduce to order, to civilize and develop, the Native Governments we find there. But I demur to that wholesale condemnation of a system of government which would be utterly intolerable on our own soil, but which has grown up among the people subjected to it. It has a fitness and congeniality for them impossible for us adequately to realize; but which compensates them to an enormous degree for the material evils which its rudeness, in a great many cases, produces."

I once heard it stated on eminent authority that nothing was more disagreeable than repeating one's own words except eating them, and I should not have done so but for the unfortunate prominence given to another version of these remarks. I venture to express my agreement with my hon. Friend behind me (Mr. Smollett), and to doubt whether it is desirable that the speeches of Members of Parliament should be made the subject of comment in official papers. I think it would be better if official papers contained remarks only upon matters which had previously appeared in official documents. With reference to this debate I must say that I am much pleased if I have been the humble instrument of bringing out these papers, and also of bringing before the House the remarkable and able speech of the noble Lord the Member for Taunton, which will be a valuable addition to the literature we possess in these papers. The sum and substance I take to be this:—You must have a despotism in India; you are naturally frightened at this despotism, because it is uncongenial to your feelings and repellant to your traditions, and therefore you surround that despotism with every imaginable check. It has now come to this—that there is no despotic power in India in anyone beneath the Governor General, and his despotism must be exercised entirely through the law. The consequence is that every agent of this despotism of yours is worried, hampered, and fettered by eternal regulations. You have all the disadvantages of a system in which the people take comparatively small, if any, part in their own Government, and you have not the undoubted advantage of the elasticity and vigour which are given by a patriarchal system of Government. I believe that these evils are only in their germ at the present time; but we see their tendency, and we see their result as stated by the noble Lord—that these regulations produce such an amount of employment in the way of writing and drawing up Returns, that the time of the officials of India is taken up to such an extent that they cannot mix with those who are under their charge, and ascertain the real state of public opinion among those whom they govern. That evil is, I fear, growing rapidly—the evil of over-regulation. If you wish to apply a remedy it will be done by getting rid of some of the departmental distrust which is an essential part of our Government at home. In India the departmental distrust is out of place. It would be better to run the risk of a few mistakes—of an occasional great blunder—to trust men more on the spot where they are conducting their Government, and to feel certain in the long run that the elasticity, the freshness, and vigour which belong to your Government, will more than repay you for any occasional losses which may occur in particular instances. That appears to me to be the sum and substance of this controversy. I will only say further that I trust that the critical Members of this House will not think that these Indian debates, thinly attended as they are sometimes, are waste of time. I believe the best service which any of us who take an interest in India can render is to stimulate in every way the somewhat languid attention of the people of this country to the affairs of India; and that we shall never thoroughly fulfil the tremendous responsibility we have assumed towards that country until there is more familiarity in the minds of the people of this country with the distant and somewhat unintelligible affairs of that great Empire.

## INDIA—BANK OF BOMBAY.

### QUESTION.

Mr. DYCE NICOL, in rising to ask the Secretary of State for India, What is the present position of the Bank of Bombay; and, whether he will institute any inquiry into the circumstances of the failure of the Old Bank of Bombay? said: I am glad to find that the right hon. Baronet has recently sent instructions to the Governor General of India to appoint a Commission of Inquiry into the circumstances of the failure of the old Bank of Bombay, and I beg to thank him for an act of justice to the unfortunate shareholders, which was denied to them by the authorities in India. I may mention that the Bombay Government were shareholders in this Bank; that they had the power of nomination of three of the directors; and that they exercised that privilege in the appointment to the Board of the highest officials in the financial Department of the Government. And without its being supposed that I cast imputations on anyone, I hope that I may be allowed to urge on the right hon. Baronet the Secretary of State that this inquiry should be of a most searching character; and I press this the more earnestly, seeing that the shareholders are chiefly members of the civil and military services of Western India, who, on the faith that this Bank was a Government institution, invested their money in it under the same feeling of security that they did in a Government Loan or in Government Stock. At a meeting held at Bombay on the 13th of January for the winding up of the Bank, an appeal was made by the shareholders then present for information as to where their money had gone, and who were the persons for whom their property had been sacrificed. The official liquidator replied to this effect, as reported in *The Bombay Times* of the 29th of January—

> "If the shareholders wanted to make an investigation as to where their money had gone and who was to blame, it was for themselves to make it and not him. If it was to be one of his duties as liquidator, he should decline to take another step in the liquidation, and should at once place his resignation in the hands of the shareholders. He would not be the leader or mover in such an inquiry as the one suggested."

The Accountant General of Government, then present, confirmed this statement. The opinion of the Governor General in Council on the subject of the Bank is given in a despatch under date of the 18th of

April last, addressed to the Secretary of State. It is as follows:—

> "We have the honour to forward the documents in the annexed list, and to state that it illustrates the scandalous manner in which the Bank of Bombay was conducted at the period to which the correspondence alludes."

I shall only add that I trust the Report of the proposed Commission will be laid before this House with as little delay as possible, so that it may have an opportunity of discussing the connection of the Bombay Government with one of the grossest cases of joint-stock mismanagement on record. I now ask the right hon. Baronet, what is the present position of the new Bank? I much regret that the Bombay Government has been authorized to become shareholders in it. I had hoped that, after the disastrous experience of the past, any new bank with which they became connected, would have been put on an entirely different footing; that the Government would have retained complete control over its capital and deposits; and I fear that the proposed appointment of an inspector over a board of directors selected from a community who have shown of late years so little moderation and prudence, will not inspire confidence. But it is, Sir, most desirable that this House should have a full statement of the position of this new Bank, and the nature of the security it holds out to the public. In conclusion, I hope that the House will permit me to say that I have no interest, direct or indirect, in these Banks, but have ventured to bring the subject before it solely on public grounds.

SIR HENRY RAWLINSON endorsed the opinion of the hon. Member who had last spoken as to the importance of the questions arising out of the failure of the Bombay Bank. The essential features of the case were these:—A capital of £2,000,000 had been dissipated, and in consequence hundreds, perhaps thousands, of most deserving persons had been reduced to beggary. And more than this, the sufferers were for the most part retired officers and civil servants of India, who had been induced to invest the savings of years in the Bank of Bombay, on the credit of its being a *quasi* Government establishment; or at least in the belief that it was an establishment under the supervision of Government, because three of the directors had been Government officials. The inference put upon the connections of Government with the Bank might have been right or wrong, but it had naturally given birth to a very strong demand for redress. That redress had hitherto been denied, and explanations even had been resolutely refused; so that the unfortunate shareholders were not even accorded the poor satisfaction of knowing by what means their wrongs had come upon them. The painfulness of their position had even been aggravated by seeing a second Government Bank reared on the *débris* of the old one, buttressed by the vicious system of Government connection, and advertised with the same delusive disguise of Government support. He would not discuss these points on their merits; he would give no opinion on the policy of a Government indemnifying shareholders; nor would he venture to assert that exceptional circumstances might not justify a Government in taking shares in a private concern, notwithstanding the late disastrous experience, and the fact that such a course was directly opposed to all recognized principles of political economy. But what he did insist on was a searching inquiry into all the circumstances of this lamentable failure, that the House might have the means of reviewing it, and giving a just opinion on the merits of the case. He insisted on this, not only in the interests of the shareholders themselves, but in the interest of the public at large, who had the right to demand full information. This brought him to another matter, respecting which he wished to appeal to the right hon. Baronet. The House would recollect that when the Government of India Act was passed in 1858, it was especially provided that although the Council was powerless as against the Secretary, except in matters of finance, its members might still have the power to record their opinions whenever they differed from the Secretary of State. These were the words of the Act—

> "And in case of difference of opinion on any question decided at any meeting the Secretary of State may require that his opinion and the reasons for the same be entered in the Minutes of the proceedings, and any member of the Council who may have been present at the meeting may require that his opinion and any reasons for the same that he may have stated at the meeting be entered in like manner."

The evident object of this clause was to provide a constitutional check against the possible exercise of power in an arbitrary or unwise manner by the Secretary of State, since, by placing the recorded opinion of the members of the Council at the disposal of Parliament it brought those disputed points under the supervision of the

House. This had accordingly been the practice ever since. In no single instance, he believed, had the recorded Minutes of Council hitherto been refused; and the House would remember that in the Mysore case, recently before the House, the Minutes of the members of Council both for and against annexation were appended to the Correspondence, and formed an integral part of the Report. He had therefore fully expected the House would be put in possession of the opinions of the members of Council, in the case of the Bombay Bank, involving as it did two most serious questions; one affecting private interests to the extent of £2,000,000, the other dealing with the adoption by the Government of a very questionable policy. The House would, therefore understand his surprise when the right hon. Baronet declined to produce those Minutes of Council. As reported by *The Times* of Wednesday last—

> "Sir Stafford Northcote said there was only one such Minute recorded under the provisions of the 23rd section of the Government of India Act, and, inasmuch as it referred to questions having relation to the personal character of individuals about to form the subject of judicial inquiry, he did not think it would be right to consent to its production."

He (Sir Henry Rawlinson) was not aware that any judicial inquiry was pending. He was aware that a Commission was about to be ordered in India to collect evidence, and of course the examiners would in due course send in their Report; but he did not see that the production of a Minute recorded by an individual member of Council would affect that Report in any way whatever. If, however, the Commissioners were so plastic or so subservient as to be affected by the opinion of a man in authority, then it must also be held to be most injudicious to have included in the Correspondence furnished to Parliament, the Minutes of Council of India, and the despatch of the Governor General. The same objection to publications applied equally to the Minutes of the Council at Calcutta and at London. Both sets of documents should either be produced or withheld; and, in his view, both should have been produced, simply because in cases of this sort no good would result from concealment. If the right hon. Baronet had acted wisely he would have gone in advance of public feeling rather than have tarried behind until it became necessary to demand of him what was nothing short of a public right. If the right hon. Baronet rose and stated upon his responsibility as a Minister that the production of the Minute would be contrary to the interests of the public, of course there was no more to be said. But the right hon. Baronet would, no doubt, name a time for its production, which would probably be at the same time as the Report of the Commision. But, sooner or later, the Minute must be forthcoming; otherwise, the precaution deliberately sanctioned by Parliament for enabling members of the Council to record their opinions would turn out to be no precaution at all, but a mere snare and delusion.

Mr. KINNAIRD thought the Governor General of India had shown himself oversensitive; but that the feeling upon his part was justified by expressions which had fallen in debate from the noble Viscount (Viscount Cranborne), who had himself formerly administered the affairs of India. If we had left the country a little more under the rule of Native Princes, perhaps a greater success and contentment among the masses of the people would have been the result, and this, probably, was in the Governor General's mind. But looking to the security in the tenure of property, and the other benefits which had resulted from our rule, it might be said with truth that that rule has been on the whole beneficent in its effects, and history would show this.

Mr. AYRTON said, that from time to time the House was startled by occurrences in India. But a few years back everybody was aroused by the statement that torture had been resorted to in the collection of revenue. Everybody denied the truth of the statement. The matter, however, was inquired into, and the fact was established. A year or two ago they learnt that hundreds of thousands of persons had died through the neglect of officials in India. His hon. Friend that night had brought under the notice of the House some circumstances connected with the administration of Indian affairs, which, though not so terrible in their immediate consequences, were yet exceedingly grave in their nature. The hon Member who had spoken last appeared hardly to understand the gravity of the question, which it was impossible to state without exciting a feeling of amazement that such things could occur, even in India. It was not simply that £2,000,000 had been lost to innocent depositors. A Bank had been established, after great consideration, by the Court of Directors of that day, with all the commercial knowledge and accurate business information at their command, and under conditions admirably calculated to promote the security and success of the undertaking. The manner, in fact, in which it was established was calculated to convey to persons in India the idea that the Bank had as much claim to their respect as the Bank of England had to that of persons in this country. And what, he asked, would persons here think if, one fine day, the Bank of England ceased to exist, and they were told that no one could be held responsible for the disappearance of one single farthing of the capital of that great institution? Such an event would startle the whole country, yet it was precisely such an event which had happened in Bombay. The Government had declared, "We will become partners in the concern; we will appoint three of our principal civil servants to represent us there; and we will have the rules of its administration put into a law, so that there may be no mistake about the nature of the duty which the shareholders have to perform." His own personal experience of banking at Bombay had probably been as great as that of any hon. Member in the House, and he had no hesitation in stating that the rules laid down by the court of directors were admirably calculated to secure the objects which they had in view. He remembered warning Viscount Halifax, when he proposed the creation of local legislative councils, of the danger of substituting for the responsible servants of the Crown persons with no real position or responsibility. Now it was alleged by the victims of this failure that the Council varied and altered the fundamental laws of the Bank for their own sinister purposes, granting unlimited powers to the administrators of the Bank, and jeopardizing the interests of the shareholders without giving them any intimation of the change. It was clearly the duty of the Secretary of State to require a thorough investigation into every circumstance attending those proceedings; and that Government ought not to be allowed to screen themselves by the fiction of the responsibility of the Legislative Council. Again, it was asserted that high officers in the civil service had conducted the bank in a manner lacking not merely in discretion but in morality. This imputation, too, ought to be inquired into, so as to show how every shilling was withdrawn from the coffers of the bank. The besetting danger of public servants in India at the present time appeared to be their relation to joint-stock companies; for they were tempted to waver between the discharge of their duty and the profits they could obtain by manipulating those companies. This catastrophe was an illustration of the way in which our Indian administrations were constantly breaking down, and the truth was, that while a certain system of Government existed on paper, a wholly different one existed in fact; and this was the explanation of much of the discontent which attended our rule. He hoped the Secretary of State would show that whatever demoralization there might be in the conduct of the Bombay Government, there was in this country a high sense of morality, which would insist on a proper performance of their public duties by local administrators.

SIR STAFFORD NORTHCOTE: Sir, the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) has stated strongly, but, speaking with some qualification, I am bound to say, not too strongly, the case of the failure of the Bombay Bank. I say with some qualification, because I feel it necessary to reserve my opinion on the history of a transaction which is at present the subject of inquiry. I quite agree with him that the charges which have been made against the Legislature, and several high officials of Bombay, are charges which it would be discreditable and disgraceful for us to pass over without a full inquiry. An inquiry has been ordered; and I have received a communication from the Government of India, stating that, in accordance with my directions that they should issue a Commission, they propose one armed with powers of obtaining evidence compulsorily, and composed of two members nominated by the Governor General and one by the Government of Bombay. [Mr. AYRTON here intimated disapproval.] The hon. Gentleman cannot think it right that the inquiry should be one-sided. The inquiry should surely be conducted by those who have a perfect knowledge of the case, and the Commissioners will inquire thoroughly into all the allegations which have been made. I wish, however, to remark that when Members speak of the liability of the Government in a matter of this kind, they must mean the liability of the taxpayers of India; and it will be a question for serious consideration whether any case can be made out justifying the imposition of a burden upon them for the purpose of replacing the funds lost through the failure of the Bank. I have heard a good deal said on both sides with regard to that failure, and I am inclined to think that the inquiry will show that it is by no means so one-sided a matter as might be supposed from the statement of the hon. and learned Gentleman. I wish, therefore, to abstain from entering into the subject at present. In answer to the hon. and gallant Member for Frome (Sir Henry Rawlinson), I may say that I have, on the same principle, abstained from laying on the table the dissent for which he has asked. That dissent was recorded in the Council of India, during last autumn, and expressed the strong opinion of a member of the Council in favour of a full inquiry. Now, at that time, an inquiry was not contemplated; but, in consequence of information which subsequently reached me, the policy embodied in the despatch against which the dissent was entered was reversed, and a full inquiry was ordered. It was therefore unnecessary to produce it, and its production would be inconvenient; since the dissent is couched in very free terms, and reflects on the conduct of certain persons whose acts will undergo investigation. I may remark in passing that I believe the phrase I used on a former occasion was not a "judicial" but an "official" inquiry. Were these parties to be prejudiced by the production of a document entering into questions of a personal character, it would be only fair to give them the opportunity of representing their own case in reply. I think it would be inconvenient, and in some respects unfair, to produce the document now; but I shall have no hesitation when the time has come for bringing the whole matter before Parliament to produce the dissent and everything else bearing on the subject. The hon. Member for Kincardineshire (Mr. Dyce Nicol) asks me what position the Bank of Bombay is in, and what part we intend to take in respect of it. With regard to that, perhaps I need not enter at full length into the present position of the Bank, because I think it is described in the Papers laid on the table. I may, however, say that a new Bank has been formed under Articles of Association, and under the Limited Liability Act, which, I believe, is in operation at Bombay. The Government have taken shares in the Bank under those articles as a provisional arrangement, till a decision can be come to as to the terms on which we shall have any connection with it. It will be necessary to give a charter to the new Bank, and instructions have been given to the Governor of Bombay to impose such ample conditions in respect of the partnership of the Government as may be thought necessary. One of the inquiries now being made is as to the proper terms on which the Government may enter into partnership with the Bank. I may further observe that at the time when I assumed the office which I have now the honour to hold, I found this question in agitation in India. The question as to what was to be done in the re-constitution of the Bank of Bombay was not officially before the Government, but various proposals had been put forward in India. One was for the reconstruction of the old Bank, another for an amalgamation with the Bank of Bengal, and there was a suggestion of a wider character for the establishment of a great State Bank for all India. I found it to be the case that the Government were shareholders in the Banks of Bengal and Madras; and that the Bank of Bengal had power under its charter to establish branches anywhere in India, and might therefore establish one in Bombay. I was anxious to withdraw the Government from what appeared to me to be the false position of a shareholder in a bank; and I have no hesitation in stating that if by a stroke of the pen I could have cancelled the connection of the Government with the Banks of India I would have done so; but that was not possible, under the circumstances, as regarded the Bengal and Madras Banks. In a private communication to the Governor of Bombay, I stated my own strong feeling that, on the one hand, it was undesirable the Bank of Bengal should extend its operations to Bombay, and thereby enlarge the circle of its operations, and render it more difficult for the Government directors to exercise a control over its proceedings; and, on the other hand, it was desirable that we should withdraw from any connection — at all events, as shareholders — with the new Bank that was to be formed. I found that the Governor of Bombay was strongly of the same opinion. But, at the same time, I said that if it was found impossible to re-establish the Bank on any other terms than those of the Government taking shares in it, this might be done. For some time after I was under the impression that the Bank would be re-constructed without such a connection. The Governor of Bombay, however, found that to be an essential condition for the re-establishment of the concern; and, looking at all the consequences

—at the distress which might be occasioned if a bank were not opened; the proposal for extending to Bombay the operations of the Bank of Bengal; and the great difficulties in the way of carrying out so great a scheme as a bank for all India—I thought, on the whole, that the least evil would be for the Government to take shares, at least temporarily, in the new Bank of Bombay. My instructions to the Governor of Bombay were to state to those engaged in the reconstruction of the Bank that our partnership was for a temporary purpose, and that, as soon as possible, arrangements would be made to enable us to withdraw from it. I objected to the appointment of Government directors, and asked that some other system of inspection might be adopted. I put on record my opinions on this subject, and I would be willing to produce them; but perhaps the statement I have now made will sufficiently explain the reasons which induced me to act as I have done. I regret it should be necessary for us to so far depart from what I believe to be the true principles of economy as to consent to the Government becoming shareholders in a bank; but there was no choice before the Government, and I shall take care to avoid any liability as far as possible. Having said so much, I think it better to leave the question aside. All I can promise now is that a full and searching inquiry will be made; but when so much of the blame of what has happened is thrown upon the Government directors, it must be borne in mind that they were in a minority, and that they had no more voice in the direction of the Bank than any other directors. Again, one of the elements entering into their appointment was that those gentlemen held other offices, the duties of which they had to perform, and that they were not allowed to be shareholders in the Bank, and received no remuneration for their services as directors. It was altogether a vicious system. It was assumed that those gentlemen had control; while, in fact, they had no real control, and were not particularly responsible.

I am sorry to be only now able to say a few words on the subject which occupied our attention an hour or two ago; but it is one of the misfortunes of the manner in which business is conducted on this evening of the week that a Minister, when replying, has frequently to mix up several topics. I am sorry that the subject to which I have been last adverting has intervened in the middle of a discussion of the very interesting question which the noble Lord the Member fo Taunton (Lord William Hay) has brought forward. I concur entirely with what my noble Friend (Viscount Cranborne) has said. I feel that the speech of the noble Lord the Member for Taunton has been one of very great value and very great interest. I am entirely persuaded that it will be of very great advantage to India that subjects of this kind — that everything which interests that Empire—should be, from time to time, brought before this House, and that it should be shown to the people of India that what interests them is interesting to us. The papers which have been laid on the table contain, I think, their own justification. I believe that it is not necessary to go into the question whether Sir John Lawrence had or had not sufficient provocation, or I would rather say sufficient excuse, to address to the officials the questions which he did address to them; but I do think it important that such a body of opinions should be collected. I cannot agree with the hon. Member for Dumbartonshire (Mr. Smollett) that those were opinions obtained to order. I think they show this — that those who are intrusted with the administration of our system of rule in India do look at the people they have to deal with, and at the task committed to them, in a large and statesmanlike and candid spirit. It cannot be expected that they should all agree on every point; and it should be borne in mind that those gentlemen are writing from different parts of India — one from one part and another from another part, and that they speak of the people as they find them in the districts with which they themselves are connected. It will be found that one of the characteristics of India is the difference between the different populations. What is true of one part may not be true of another; and, therefore, it is not surprising to find that a gentleman writing from the North should take a different view from that taken by a gentleman writing from the Central provinces. In these papers you will see a description by Sir R. Temple, of the diversity of opinion which he observed between the people in Behar and the people in Central India. With regard to this whole question, I would venture to make one general remark. I have often heard it asked, by what right we hold India; but I do not think it necessary, expedient, or useful for the House of Commons to enter into an abstract question of that sort. It is a very interesting question, and one which in the proper place may very well be discussed; but an extremely useful question for the House of Commons to ask is, by what tenure do we hold India?—By what power? There are two answers to that question. Some say that we hold it by the sword. Others say, to quote the eloquent expression of Sir Bartle Frere, that we hold India "By the divine right of good government." But, with reference to one and the other expression, we should be careful as to what interpretation we put upon them. If by the expression "We hold India by the sword" is meant that by a very small force we hold 150,000,000 of people in rule against their will, that implies two things—great absurdity and great immorality; because it would be absurd to suppose that by such a force we could keep such a number of people under British rule against their own will, and it would be immoral to so keep them for our purposes alone. But there is another sense in which I think that expression may be justifiable. It is no doubt an immense advantage to have the ruling power strong enough to preserve peace and order, and to keep the nation over which it presides free from foreign invasion and domestic trouble. No doubt, it is an enormous advantage to the people of India that they are under the administration of a nation which is able to prevent the disturbances of civil war and the robbery and plunder which weak Native Governments very probably might, and, in former times did, actually inflict, and we ought never to lose sight of the immense benefit we confer by rendering possible good government, quiet, and prosperity by the force which we bring to bear upon public affairs. Of all Governments, I believe a weak Government — especially in the case of a people not sufficiently advanced to govern themselves — to be the greatest curse possible. With regard to the other explanation of our tenure, that "We hold India by the divine right of good government," in one sense it is perfectly true. We do govern India in a manner very superior to that which prevailed in a great many of the native States and among our predecessors in that dominion. But if it is intended to say by that expression that because we do govern them better than they could govern themselves we have any right to go and take possession of the countries bordering upon ours; or, in other words, to carry out a policy of annexation with a view to that end, I say we should be entering upon a most wicked and dangerous course. And, although we do give good government to those people, I do not think it would be justifiable to use that as an argument for the purpose of annexing Native States or refuse to them existence as far as possible. Now, I venture to point out that one very great advantage is derived by Native States from our presence among them. We keep peace upon their borders; we set a good example; we bring work and prosperity into their neighbourhood; and, moreover, we have a certain duty imposed upon us, as the paramount Power, of interfering in cases in which gross misconduct has taken place in a Native State. That power has been often exercised with very great advantage, and has been felt as a benefit by the people. I would mention a case which occurred very recently, in which a very barbarous crime was committed by the Nawab of Tonk on the ruler of a dependent State and several of his nobles whom he got into his power. The offence was so great against the laws of morality that the Governor General interfered, took possession of the State, but not for the advantage of the British, deposed the offender, and put the next heir in his place. Where you have the great British power exercising its influence in that way, it must produce very great good. With regard to the other question of Native agency, I quite agree with the hon. Member for Brighton (Mr. Fawcett), that this is one of the points to which we must address our serious attention. This is a great opening we have got for training the Natives to the administration of their own affairs. In a very large proportion of cases that must be done gradually—with care and wisdom. I believe very great good is to be effected in that way. What lies at the root of that question is this — you should never forget that India is not one country; it is an agglomeration of many countries, and what may be done in one part with safety cannot be done in another. The great object we have before us is to discover how far we can decentralize, and how we can introduce into the different States that principle of Native agency of which the hon. Member spoke. But we shall have that question before us on a future occasion, and therefore I shall not detain the House further now than to thank the noble Lord for the speech which he has delivered.

## IRELAND—IMPRISONMENT OF MESSRS. SULLIVAN AND PIGOTT.

### QUESTION.

MR. MAGUIRE, in rising to call attention to the punishment which Messrs. Sullivan and Pigott are undergoing in Richmond Bridewell for political writings in the public Press, and to the difference between the same nominal punishment for political writings in England and in Ireland, said, that neither the House nor the public were aware that there was a different punishment for the same offence in this country and in Ireland. Owing to the operation of an Act which had passed quietly through the House with scarcely the knowledge of any Member, the punishment for seditious libel in the two countries was very different. While the old punishment of imprisonment with or without fine was retained in this country, the punishment in Ireland was the most aggravated and terrible that could be imagined. In this country when Cobbett was punished for a seditious libel, pronounced by the Judge to be "atrocious," he was simply detained in Newgate; he conducted his journal in prison, was freely visited by his family, managed his farm, and attended to his private affairs. Mr. Leigh Hunt also conducted his journal while suffering imprisonment. At various times down to 1856 the treatment of persons punished for seditious libel in Ireland was similar; but in that year a Bill was introduced by the right hon. Member for Stroud (Mr. Horsman), then Chief Secretary to the Lord Lieutenant, called the "Prison Bill, Ireland," which effected a very great change. That Bill was very much misunderstood. On the first reading there was no discussion; and on the second the right hon. Gentleman only said that its object was merely to transfer the superintending power over the gaols from the Court of Queen's Bench to the Executive, thus following the precedents established in the case of England and Scotland. Irish Members, therefore, understood that the Bill was to hand over the prisons to new bodies, over which the Lord Lieutenant would have control, and those bodies were to be Boards of Superintendence, who were to make regulations which were to have the force of law the moment they were sanctioned by the Lord Lieutenant. Now, in England they had several classifications among the prisoners. In Ireland, though the law was nominally the same, they had none. He brought no charge against the Irish Government, the Lord Lieutenant, or the Board of Superintendence; but if the law there were strictly carried out Messrs. Sullivan and Pigott would have their hair cropped, they would wear the felon's dress, and would have to discharge the most menial and revolting tasks, besides being kept in confinement for twenty-two hours out of the twenty-four. He must admit that the Board of Superintendence had done as much as they possibly could to relax the severity of that code, but those gentlemen were in solitary confinement for twenty-two or twenty-three hours out of the twenty-four. Two hours a day were allowed for exercise; but this was so irksome that Mr. Sullivan could only take one hour a day. The two prisoners could only see their friends once in three months, and then no communication was to be made to them, except on matters of a domestic or a business nature; and they were not allowed to see a newspaper. Yet all this time they were legally and morally responsible for the contents of their journals, over which they could not, however, exercise any supervision. If they were in England, they would be allowed to hold free intercourse with the managers of their journals, and could exercise such supervision. We were apt to refer with some complacency to France in these matters; but in St. Pélagie journalists under sentence were free within the prison precints; they ordered what they pleased from the restaurant; they could play dominoes or chess; and the editor of the *Courrier Francais* was actually allowed to go out one day in order to attend a meeting of shareholders of his journal. This was French tyranny contrasted with English liberty. The treatment of the two Irish journalists had roused one cry of indignation from the English Press, and the sentence as carried out had not the approval of the public. Two things ought to be done. These men, who had suffered in six weeks more than they would have suffered during twelve months in an English gaol, ought to be liberated. Such a step would be approved by a vast majority of the people of the three countries. Again, the Government were bound to assimilate the law of the two countries. They should do this, not by making the English law as cruel as that of Ireland; they should "level up," not level down, and make the administration of the Irish law as merciful as that of the English law. These men made no appeal *ad misericordiam.* They were ready to suffer the penalty they had incurred; but no one anticipated the severity of their sentence or the different system which existed in the two countries. He appealed to the Government and to the manly, generous spirit of the English people to do justice in this case.

THE EARL OF MAYO: Sir, it certainly required some courage on the part of the hon. Gentleman to draw a comparison between the mode in which Press offences are treated in France and in this country. My belief is, that if any person had committed in France the offences which these gentlemen committed in Ireland their punishment would have been a very different one. Indeed, the publication of these newspapers, which has been going on for nearly three years in Dublin, would not have been permitted for a day in any other country in the world. I will dismiss, then, all comparison between the punishment of Press offences in Ireland, and, not in France only, but in any other country. With regard to the particular question brought before the House, I shall content myself with mentioning the exact state of the law in this country and in Ireland, and it will be seen that a very substantial difference exists in the two cases. In England, by the Prisons Act of 1865, it is provided that misdemeanants may be divided into two classes, and the Judge may order them to be placed in the first class. In that case they are not to be deemed criminal offenders; and there are special rules for the treatment of prisoners under clause 102, schedule I. of that Act. Thus, a Judge in England has the power of saying whether a misdemeanant convicted by a jury shall be placed in the first class of misdemeanants or not; and it does not at all follow that if Mr. Pigott and Mr. Sullivan had been convicted in England of this precise offence, the Judge would have felt it his duty to place them in the first class of misdemeanants. If, therefore, the Judge had sentenced them as ordinary misdemeanants, they would have been subjected very much to the same rules as prevail in Ireland. By the Irish Prisons Act it is provided that misdemeanants shall be subject to rules made by the Board of Superintendence, submitted in Dublin to the municipal council for approval, and subsequently sanctioned by the Lord Lieutenant. I quite admit that these rules impose upon misdemeanants imprisonment of a somewhat severe character. The rules to which particular reference has been made are the 9th and 17th. The 9th provides that prisoners shall keep their cells clean; the 17th provides that prisoners are not to see their friends until after the expiration of three months; and the 18th says that prisoners shall be visited only in the presence of the Governor or a subordinate officer of the prison. These are the rules which regulate the treatment of prisoners in the Richmond Bridewell. I will show shortly that these rules have been considerably and substantially relaxed in favour of Messrs. Sullivan and Pigott. The Board of Superintendence have the power by law to relax a certain portion of these rules, and other portions of the rules have been relaxed by the authority and on the recommendation of the Government. A great difference has been attempted to be drawn between the treatment which these gentlemen would have been subjected to had they been sentenced by a Judge in England to the treatment of first class misdemeanants and that which they are receiving; but I will show the House in a moment that they have been subjected to precisely the same treatment. I have here a copy of the rules under which first class misdemeanants are treated in Oxford gaol; and these are the rules which are observed generally in England. They say that a prisoner who has been sentenced to be treated as a misdemeanant of the first division shall not be deemed to be a criminal prisoner within the meaning of the law, and he shall be treated as follows:—"He shall be searched on admission in the presence of the gaoler," and so on. "He shall not be placed with any other division or class of prisoners." That rule has been observed in the case of Messrs. Sullivan and Pigott. "He shall be permitted to wear his own clothing." That has been done. [Mr. MAGUIRE: Not by law.] It has been done in this case by law, under the power the Board of Superintendence have to relax the rules of the prisons. The next rule is—

> "He shall be permitted to maintain himself, and to receive, at reasonable hours, any food, clothing, bedding, or other necessaries; but subject to such examination and other limitations, to be judged of by one or more visiting justices, as may be requisite for preventing too much extravagance or excess. He shall be permitted to procure for himself wine, not exceeding one pint, or malt liquor not exceeding one quart, in the course of every twenty-four hours."

Mr. Sullivan has been allowed to provide himself with a small portion of wine, as much as he asked for; and, in fact, during the early part of his imprisonment he supplied himself with, I think, a small quantity of mulled claret every evening. At present Mr. Pigott has a pint of ale every day. [Mr. MAGUIRE: Is a medical certificate required?] No medical certificate is required. I am afraid the hon. Gentleman does not know anything about the matter. Another English rule is—

> "He shall not be required to do any work, to clean his apartment, or make his bed, or to perform any menial office; but his apartment shall be cleaned, his bed made, and his meals brought to him by an officer or servant of the prison."

This has been done every day in this case. The next rule is—

> "He shall be allowed exercise in the open air, either alone, or with other prisoners of this division. In either case he shall be attended by an officer of the prison, if deemed necessary by the gaoler."

This has been done every day in this case. I have been informed by the Governor of the gaol that if the prisoners wished to extend their hours of exercise they will be allowed to do so. Mr. Sullivan, however, has limited his time for taking exercise to one hour. Mr. Pigott, I am informed, takes exercise for two or three hours a day, and could have more time if he wished for it. With regard to association, I cannot conceive anything which would be more repugnant to the feelings of these prisoners than that they should be obliged to associate with the other prisoners in the gaol. As there are no other occupants of the gaol with whom they could associate, it is impossible to give them association of any sort. I am told by the Governor of the gaol that they never expressed any wish to associate with each other. There would be no objection to their doing so; and, in fact, they do associate with each other every morning. I am also informed by the Governor that Messrs. Sullivan and Pigott were not acquainted with each other before the passing of their sentences, but that they had now become intimate. The next English rule is—

> "He shall, at his own expense, be permitted the use of books or newspapers which are not of an objectionable kind—to be judged of by one or more of the visiting justices."

I never heard that any application made by either of these prisoners has been refused. On the contrary, I believe they are allowed to have any periodicals or books they wish for. With regard to visitors, the English rule says—

> "He shall be permitted to see his friends in his apartment on week days (excepting Christmas-day, Good Friday, and any public fast or thanksgiving day), from the hour of half-past ten in the morning till twelve, and from half-past one till four in the afternoon, in the winter six months, and till six o'clock in the summer; and some officer of the prison shall be present at such visits, unless his presence be dispensed with by the written order of a visiting justice."

I am told that the rules of the prison have been very considerably relaxed in favour of these gentlemen; that the Governor has been told he might exercise his discretion; that it is the intention to relax the rules still further, and that these prisoners have been allowed to see their friends without the presence of an officer of the gaol. The last English rule I will notice says—

> "He shall be permitted to write, send, or receive letters or other papers; but, before they are sent by such prisoner, or received by him from any visitor, or in any other manner, they shall be examined by the gaoler."

I fancy that is precisely the rule at the Richmond Bridewell. I have shown, then, that the fancied difference between the English treatment and that of these prisoners does not exist, and that they are treated precisely in the same way they would be had they been sentenced by an English Judge as first-class misdemeanants. With regard to solitary confinement, I do not see how that can be obviated. Persons are not sent to prison for pleasure; but, in compliance with the law, for punishment. The state of the case with regard to association is this. By an improved state of prison discipline association in gaol is put an end to, I hope for ever; and the separate system is adopted in all well-regulated gaols in Ireland, to the great advantage of prison discipline. The very construction of the prisons forbids association. I have no reason to believe that if association with other prisoners were offered to these gentlemen they would do otherwise than indignantly reject it. It would be no pleasure to them to associate with criminals convicted of pocket-picking or breaking into houses. So far from confinement in the cell being a hardship, I believe it would be thought a much greater hardship to be forced to associate with the other prisoners. I do not think, therefore, it is possible to make any alteration in the treatment which these men are receiving. I have taken upon myself as an officer of the Government, on my own authority, to authorize a very large departure from the rules which the Board of Superintendence have laid down. In that respect I have, perhaps, assumed an authority which did not altogether belong to me. I felt so strongly that the regulations made by the Board of Superintendence for the Richmond Bridewell were not intended for the treatment of prisoners convicted of this class of offences that I felt it my duty to authorize a departure from the rules. In doing so, I believe I only fulfilled my duty. By doing that I have caused the treatment of the prisoners to be assimilated to the treatment they would have received in England. On the whole, I believe the course taken by the Government to have been one tempered by mercy, and reflecting no discredit on that member of it holding the position I have the honour to hold.

SIR JOHN GRAY said, that as a member of the Board of Superintendence of the Richmond Bridewell, he was much surprised at the statement of the noble Earl—that the prisons in the two countries were governed by the same laws.

THE EARL OF MAYO: I said the prisoners received the same treatment practically that they would have received in this country.

SIR JOHN GRAY said, that at all events he understood the noble Earl to say that in Oxford gaol first class misdemeanants could supply themselves with any kind of provisions they pleased.

THE EARL OF MAYO: Yes.

SIR JOHN GRAY: Well, this privilege was denied to Messrs. Pigott and Sullivan, who were merely allowed the prison diet; for which, however, they paid at the end of every week, the object being to avoid the labour which they would otherwise have to perform. They were not permitted any choice in regard to the diet, which was regulated by the medical officer of the prison. It was paid for from prison funds, and they afterwards re-paid the amount. The noble Earl said that in Oxford gaol first class misdemeanants were allowed to have newspapers, but that was not the case with the gentlemen who are in Richmond Bridewell.

THE EARL OF MAYO: What I said was, that these prisoners were allowed to see newspapers which were not considered to be of an objectionable kind.

SIR JOHN GRAY proceeded to say, that they were not allowed to see *The Times*, or *Illustrated London News*, both of which were papers that could not be deemed objectionable. Nor were they permitted to read the *Standard* or the *Evening Mail*.

THE EARL OF MAYO: Have they ever asked for them?

SIR JOHN GRAY said, he had visited the prison only the other day, and therefore he was speaking from his own knowledge on the subject. It was true that for three or four days they were allowed to see *The Illustrated News*, but it was afterwards excluded simply because it was a newspaper. The rules of the prison, he might point out, were not made by the Board of Superintendence, but by Mr. Marks, the then Governor of the prison, in conjunction with Mr. Corry Connellan, the Inspector of Prisons. They were subsequently submitted to the Board of Superintendence and to the municipal council of Dublin, who referred them to the Lords Justices, by whom they were certified, after certain alterations had been introduced. He confessed, however, that he did not know what alterations had been made. The moment these gentlemen were brought into the prison the Board of Superintendence were called together; and they came to the determination that no relaxations should be granted except such as were in accordance with the rules and the provisions of the Act of Parliament, and an order was at once made under the powers conferred by the 13th section of the Act, that the prisoners might wear their own clothes. The prisoners, he might remark, were only allowed to be together during about a quarter of an hour in the course of the day.

THE EARL OF MAYO said, they had never asked to be together for a longer time.

SIR JOHN GRAY went on to say that, according to the rules, they were to be in separate cells, and the Board found that they could not put them into rooms with fire-places without violating the Act under which the rules were framed. They thought they might confine them in cells in one of the short corridors, and allow them to walk in the corridor, which was properly secured; but they found that they could not do this. These gentlemen had been convicted, not of treason or treason-felony, but simply of seditious libel. They were taken to a common lavatory by ring of bell at six or seven o'clock in the morning, and after performing their ablutions they were allowed to converse together for ten or fifteen minutes, and then they were locked up in separate cells. What was required was that the same rules should be applied in Ireland as prevailed in England, and that there should be a proper classification. Under the Oxford rule, the first class misdemeanants were allowed to see their friends for a certain time every day. Now, in this case, one of the prisoners moved to have his trial conducted in the Court of Queen's Bench, but that motion was resisted by the Crown; though if the prisoners had been sentenced to imprisonment by a Superior Court they would have been subject to the Oxford rules. The Government had had them tried in the county, and but for the Judge they would have been placed in a county prison away from their friends. He gave the noble Earl, who stated that he had issued directions to have the rules relaxed, credit for kindness of disposition, and he hoped that the noble Earl would assure the House that the law in Ireland in reference to this matter should be assimilated to that which existed in England.

MR. O'BEIRNE said, he very much regretted that the consideration of this, which seemed to him to be a matter of grave importance, should have been embarrassed by the introduction into the discussion of the names of the two gentlemen who were now unfortunately suffering under the sentence of the Irish criminal law. His hon. Friend the Member for Cork, followed by the hon. Gentleman the Member for Kilkenny, had put the case very plainly before the House, and the official knowledge of the hon. Member for Kilkenny had given a complete answer to the statements made by the noble Earl, on the part of the Irish Government, as to the regulations of the prisons and the punishments inflicted upon those who have fallen within the reach of this Act. The noble Earl indeed was himself obliged to admit that, as he found the case of the gentlemen alluded to was scarcely one which was contemplated by the Prisons Act, he felt called upon to assume a certain amount of responsibility, and to give instructions that the regulations should be to some considerable degree suspended. But, Sir, the real question at issue, and to which the attention—and the earnest attention of the House—should be directed, was this:—Did the laws at present in force in England and in Ireland impose a degree of punishment more severe in the one country than in the other for the same offence? That was the true question, and one of grave moment. It was not sufficient for the noble Earl to tell them that the prison in Oxford was very excellently managed in every respect. Of this he (Mr. O'Beirne) had no doubt; but why did not the noble Earl inform the House of the regulations which were in force in the various Houses of Detention in London and its neighbourhood. However, he would not longer occupy the attention of the House; he would merely remark that, as it was admitted by the noble Earl that the severity of the prison rules had, in the unfortunate instance which had been alluded to, proved to be greater than the nature of the case justified, he (Mr. O'Beirne) considered the case made out by his hon. Friend the Member for Cork had been fully sustained; and he therefore hoped that immediate steps would be taken, not only to equalize the rules of the prisons in both countries, but, for the sake of both countries, to remedy a system which must be productive not only of dissatisfaction, but of much public scandal if permitted to continue.

THE ATTORNEY GENERAL FOR IRELAND (Mr. WARREN) wished to state in reference to the trial of Mr. Sullivan and Mr. Pigott, that it was conducted before two of the most eminent Judges in Ireland, both of whom were Members of that House when the Act of Parliament, which was the foundation of the prosecution, was passed, and no doubt they were perfectly familiar with that Act, and the prison rules which were in force in Ireland. In sentencing one of the accused to six months', and the other to twelve months' imprisonment without imposing a fine, they had a due regard to the stringency of the prison discipline. It was quite true that they were tried in the county of Dublin; but that step had been taken at the pressing instance of the counsel for the prisoner, and with the concurrence of the Attorney General. He had no hesitation in saying that these men were tried for offences of deeper moral guilt and of a more mischievous character than had been committed by many who had been sentenced and were now under punishment for treason-felony. One of them was convicted of a series of fourteen seditious libels spread over a period of twelve months; and the other of seven seditious libels spread over a considerable time, stirring up the people of Ireland to join the Fenian conspiracy. He therefore thought that the punishment, having regard to all the circumstances, was a light one. He admitted that there was a difference between the law in England and Ireland; but neither Mr. Sullivan, who was a member of the Board of Superintendence, nor the hon. Member for Kilkenny (Sir John Gray), also a member of that Board, had ever called the attention of Parliament to this difference, or asked for any assimilation of the law. The attention of the Government, however, having been called to the point, they had done all they could to bring the administration of the law in Ireland into conformity with that of England. Difficulties, however, having arisen, he would undertake that a Prison Bill should be introduced, assimilating the law in the two countries. In the meantime, he might say that through the operation of the Board of Superintendence, every means had been taken to alleviate their condition. He read the dietary allowed to the prisoners, which was a very liberal one, and even included the supply of tobacco. On the whole he considered that the prisoners were not suffering a greater penalty than their crime deserved. Not a single request made by either of the prisoners to the Governor of the prison had been refused; and he believed the House would feel that Government and its officers were not open to any imputation for the course pursued towards these offenders, or for the manner in which they had been treated after sentence.

Mr. BRADY said, it had been clearly shown that the law of Ireland was very different from that of England, and much more harsh and severe as regarded the treatment of this class of misdemeanants. He was glad to hear the Attorney General for Ireland state that it was the intention of the Government to assimilate the law of Ireland in this respect to that of England. That was all the hon. Member for Cork (Mr. Maguire) desired, and he had therefore succeeded in his object. Had it not been for the humane recommendations of the medical men, the prisoners would be subjected to treatment far more severe than the Government intended.

Mr. LOCKE said, he only rose to observe, that if there was uncertainty in the law of Ireland, there was similar uncertainty in the law of England. Some years back he had called attention to the case of two gentlemen charged with the offence of fraud. They were sent to Newgate by an alderman, on remand, to be brought up for further examination, and were, therefore, innocent in the eye of the law, but they were, nevertheless, subjected to very severe treatment. The then Home Secretary, the right hon. Member for Morpeth (Sir George Grey), directed an inquiry to take place, and the result corroborated all he had stated; but the answer was that such were the rules and regulations which the law permitted magistrates to make for the regulation of gaols. What, then, was the inference he drew?—that an alteration should be made in the law, both for England and Ireland, that would not leave magistrates the power of making rules and regulations for the conduct of prisons at their own discretion; but that some regular principle should be laid down for their guidance in all such cases. The two persons of whom he spoke had been convicted of no offence, and were innocent persons, but they were subjected to all sorts of indignities in the prison of Newgate. They had to clean out their room, and were put into a bath in which a number of other persons had been put before. This was a matter which the Government ought to take into their own hands; and the sooner the laws of the two countries were assimilated, and both brought into accordance with the principles of justice, the better.

Mr. REARDEN said, that if a like outrage were offered to the editors of any of the London morning papers, not only the House, but the whole country would be roused. He exonerated the noble Earl and the Government of Ireland from any blame in carrying out the Act of Parliament; but the penal code of Ireland was alike cruel and mean. No such prison rules were to be found in the most despotic countries. He said, without fear of contradiction, there was nothing in the history of Poland which exceeded the cruel treatment of those two gentlemen. He strongly urged upon the House to make the laws of Ireland more humane.

## OVERLOADING OF PASSENGER STEAMERS.—QUESTION.

Mr. SINCLAIR AYTOUN said, he wished to ask the Vice President of the Board of Trade, Whether the Regulations of that Board with regard to the overloading of Passenger Steamers, and other Regulations intended to secure the safety of Passengers, do not at present remain unenforced; and, whether he would have any objection to bring in a short Act to provide for the enforcement of such Regulations?

Sir ROBERT ANSTRUTHER said, he also desired information upon this subject.

Mr. WALDEGRAVE-LESLIE objected to the monopoly which existed with regard to certain ferries.

Mr. STEPHEN CAVE said, the question of the hon. Member did not state the case quite accurately. Before a steamer could legally carry passengers she must be provided with certain equipments, which were, however, not required by regulations of the Board of Trade, but by the Merchant Shipping Act of 1854. On a vessel being so provided, a surveyor appointed by the Board of Trade gave a declaration that the provisions of the law were complied with, and that the hull, equipments, and machinery were sufficient for the service and in good condition. As regarded passengers, the law provided that the Board of Trade certificate should contain a statement of the number of passengers the ship was fit to carry. The power of the Board of Trade ended there. The statute required that this certificate should be placed in a conspicuous place on board, and imposed heavy penalties if the number of passengers was exceeded; but no power was given to the Board of Trade to prosecute, and no funds were provided. As a matter of policy, he did not think that a Department like the Board of Trade should undertake these duties, which more properly belonged to the police; and practically it would be impossible for them to have sufficient officers to count the passengers and to watch every case. Any persons aggrieved by overcrowding, or any local body who might think that the safety of the passengers was neglected, could take steps to proceed for the penalties incurred. This had been done in many instances. Where the law was not enforced in this and many similar cases, it was owing to supineness on the part of those who were most interested in enforcing it. The penalties went to the Crown, and not to the informer, which might account for this supineness. The Government were considering whether any alteration in this respect might be introduced into the Merchant Shipping Bill, but he did not think it advisable to introduce such a Bill as the hon. Member recommended.

Motion, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn*.

Committee *deferred* till *Monday* next.

House adjourned at a quarter before Two o'clock, till Monday next.

# HOUSE OF LORDS,

*Saturday, March* 28, 1868.

MINUTES.]—Public Bill—*Third Reading*—Consolidated Fund (£362,398 19*s.* 9*d.*),* and *passed*.

Their Lordships met; and having gone through the business on the Paper, without debate—

House adjourned at Twelve o'clock, to Monday next, Eleven o'clock.

# HOUSE OF LORDS,

*Monday, March* 30, 1868.

MINUTES.]—Select Committee—On Ecclesiastical Titles in Great Britain and Ireland *nominated*.

Public Bills—*First Reading*—Consolidated Fund (£6,000,000)*; London Coal and Wine Duties Continuance* (59).

*Second Reading*—Sea Fisheries (46); Indian Railway Companies* (57).

*Referred to Select Committee*—Poor Relief (39).

*Report*—Railways (Extension of Time)* (36).

*Third Reading*—Non-Traders Bankruptcy (Ireland)* (38); Legitimacy Declaration (Ireland)* (27).

*Royal Assent*—(£362,398 19*s.* 9*d.*) Consolidated Fund [31 *Vict.* c. 10]; Public Departments (Extra Receipts) [31 *Vict.* c. 9]; Fairs (Ireland) [31 *Vict.* c. 11]; Court of Appeal, Chancery (Despatch of Business) Amendment [31 *Vict.* c. 12].

## HOSTILITIES IN THE RIVER PLATE.

### OBSERVATIONS.

Lord LYVEDEN rose, according to Notice, to call the Attention of the House to the Papers presented respecting Hostilities in the River Plate. The noble Lord was understood to complain that the official papers on that subject which had been produced were very defective, and failed to give their Lordships the information that was desirable on various points connected with that question. He entertained the greatest confidence in the intentions of the noble Lord the present Foreign Secretary, although during his tenure of office this country had been plunged into one of the most impracticable and useless, as well as costly, little wars—namely, the Abyssinian war—probably because he had thought that public opinion was in its favour. On the present subject Lord

Stanley lays down the positive rule to Mr. Lettsom—

> "I have to observe to you, as this is a subject in which Her Majesty's Government have no direct interest, they do not feel justified in expressing any opinion thereon to the Government of the Oriental Republics."

The state of affairs in the South American Governments had been of late years very curious; and it was almost impossible to ascertain the nominal motives of the hostilities in which they were engaged, although the real motives were obvious. He was glad to see that the Correspondence which had been laid on the table was entirely free from any notion of interference on our part in those wars, the origin of which appeared to be an attempt on the part of the Brazilian Government, in alliance with the Argentine Republic, to get possession of the territory of the Plate. It appeared, however, that the Government of Paraguay detained a number of British subjects, chiefly engineers and medical men, in a besieged place called Humaita, and refused to liberate them, lest they should give information to the enemy or engage in his service. Mr. Gould, the British Consular Agent there, stated that a party of forty-six Europeans were so detained; but President Lopez denied that there were more than six Europeans in Paraguay, and asserted that they were resident in the State of their own free will, carrying out a contract entered into with the Government. There was a great discrepancy between the statements of Mr. Gould and President Lopez; and it was desirable that their Lordships should have the means of knowing what was the exact number of the British subjects detained; whether they were really detained against their will, or under contract; and, if under contract, what the nature of the contract was, and whether it had or had not expired? Mr. Gould said, that without the presence of a British ship of war, he could not obtain the release of our subjects; but how was a British ship of war to get up there? The gun-boat *Dotterel* had been stranded three times in attempting it. Mr. Gould had told President Lopez that he would hold him responsible for whatever might happen to our countrymen. One question which deserved attention was this—Were we clearly entitled to say that International Law prevented a State in besieged warfare from detaining the subjects of a neutral, whether under contract or otherwise, if it suspected that they might join or help the enemy? It appeared to him that if the Government engaged in this dispute they ought to make sure of every step they took, or else the affair might end very perilously and expensively. He did not mean positively to accuse Mr. Gould of any partiality; but he was bound to notice the contradictions in his accounts and those of other officers. Mr. Gould said—

> "The Paraguayan forces amount altogether to about 20,000 men; of these 10,000, or 12,000 at most, are good troops; the rest are mere boys from twelve to fourteen years of age, old men and cripples, besides from 2,000 to 3,000 sick and wounded. The men are worn out with exposure, fatigue, and privations; they are actually dropping down from inanition. They have been reduced for the last six months to meat alone, and that of a very inferior quality. They may once in a way get a little Indian corn; but that, mandioc, and especially salt, are so very scarce, they are, I fully believe, only served out to the sick. In the whole camp there is absolutely nothing for sale. There must be, judging from what I saw, a great scarcity of drugs and medicines, if not a total want of them for the sick, whose number is rapidly increasing. Few recover, as may naturally be expected under such circumstances. Cholera and smallpox, which exist to a certain extent in the allied camp, are spreading very much among the Paraguayans. The horses have nearly all died off, and the few hundreds that yet remain are so weak and emaciated they can scarcely carry their riders. The last 800 or 900 mares in the whole country have, however, just been brought in. The draught oxen are in a dreadful state, and cannot last much longer. The cattle in the camp, some 15,000 or 20,000 head, are dying very fast for want of pasturage."

Captain Michell, on the other hand (the officer in command of the *Dotterel*), spoke of the forces in high terms. Writing on the same day, and describing the same army, he said—

> "At Curupaity, while waiting for Mr. Gould and the British subjects, I had the honour of being presented to President Lopez, who received me most kindly, showing me from a high position, with a powerful spyglass, the whole of his lines and trenches at Curupaity, which are of great strength, and I believe impregnable to the allies. The troops appeared in good health and spirits, and are an extraordinarily fine race of men. They do not suffer half the hardships that are reported. Large quantities of cattle and sheep were in the camps."

The question was, which of these two reports was the more accurate. It was difficult to decide on which side the truth lay; but that was the more reason why the Government should act with caution, and should enlighten public opinion on this matter. In June last Lord Stanley wrote to Mr. Mathew, stating that he had called the attention of the Chargé d'Affaires of Paraguay in this country to the detention of British subjects in Paraguay, and suggesting that a gunboat should be sent to receive them on board. Since that time we had received a new Minister, and yet appointed none of our own. The public were entitled to know why, if President Lopez had so violated International Law, as asserted by Mr. Gould, we should retain and receive his Chargé d'Affaires, and why we had none in Paraguay? The public were also entitled to know whether the Government had any accurate information relative to these contracts; and, whether, assuming that they were acting in accordance with International Law, they had taken the best course to put an end to this dispute. If this country were carried into war there would be no knowing where it would end.

THE EARL OF MALMESBURY: As my noble Friend has given your Lordships an accurate sketch of what has taken place in these countries I need say no more on that subject. I am happy to relieve the mind of the noble Lord of the notion that Her Majesty's Government are about to embark in another Abyssinian war in South America. There is not the slightest chance of our being engaged in such a proceeding. It is true that certain Englishmen are detained in the camp of President Lopez; but our information on that subject is extremely vague, and it is impossible for me to say how a list can be made out. Mr. Gould was in a difficult position when he first went out, and he had great difficulty in obtaining information. The same might be said of Captain Michell, and it was to be expected that their separate accounts of what they saw would not agree. But the most important point is one to which the noble Lord has not alluded—the chance of our being able to put an end to this sanguinary war. I do not know whether the noble Baron wished Her Majesty's Government to mediate between the two parties. I believe that our interposition would do more harm than good. There is, therefore, no intention on the part of the Government to interfere until we see a much better chance of success than that which now exists. It is quite true that the desirability of mediation has been hinted at, but the Government have confined themselves to instructing our Minister at Buenos Ayres to do what he can to obtain the release of these Englishmen. I will not go into the question of how far International Law has been violated in the detention of these six Englishmen in the camp of President Lopez. I can easily perceive from the character of President Lopez, that their position is anything but agreeable. At the same time it must be borne in mind that Lopez himself is in a very peculiar position. He is blockaded in his camp; and it is not to be expected that, as he is beleaguered, he will allow any person to leave his camp and give information as to his means of defence, which might be useful to the enemy. I am asked, whether the Government are aware of the contracts with those Englishmen, and whether they have expired or not? We have no information on that subject; but it would naturally become a question rather of a civil than any other process between these persons and those who engaged them. It would be very difficult for us to go into a country so wild and in such a state of warfare. All that can be done at present for those Englishmen, will be to recommend our Minister to watch carefully the course of events and to obtain their release as soon as possible. I do not think your Lordships will consider it wise on the part of the Government to make any offer of mediation at the present time, and there is not the slightest danger of our being involved in hostilities in these countries.

EARL GREY feared, from the temper of Mr. Gould's correspondence, that if any discretionary power were intrusted to that gentleman, he would sooner or later involve us in hostilities. He thought it was extremely wrong for this country to allow itself to be drawn into a war on behalf of persons who, for their own objects and interests, had become connected with barbarous or semi-barbarous Powers. If any persons placed themselves in positions in which they were very likely to be ill treated by such men as Lopez and others, they could not expect the power of this country to be put forth for their release. He hoped no force would be placed at the disposal of our diplomatic agents; for if ships of war were sent to the spot, they would be tempted to make use of them, and England might sooner or later be dragged into a war.

### POOR RELIEF BILL [H.L.]—(No. 39.)

(*The Earl of Devon.*)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

*Moved,* "That the House do now resolve itself into à Committee on the said Bill."—(*The Earl of Devon.*)

The Earl of ELLENBOROUGH suggested that the measure should at once be referred to a Select Committee, that Committee confining its attention to the provisions it contained. The tendency of the Bill was to increase the power of the central Board, a spirit directly contrary to that of the original Poor Law. Now, he believed the more that power was increased the less disposition would there be to serve the office of guardian, and the essence of the system would be destroyed.

The Earl of DEVON said, he thought it due to their Lordships and to the importance of the measure that he should give an explanation of its provisions, in accordance with the understanding on which the second reading was agreed to. If, after he had made such an explanation, their Lordships were of opinion that sound legislation would be promoted by the course suggested by the noble Earl (the Earl of Ellenborough), he should offer no objection. The object of the Bill was to remove various obstacles which interfered with the satisfactory working of the Poor Law, and to enlarge the powers of the Poor Law Board with reference to local administration. The Board had not the slightest desire of unduly over-riding the discretion, generally exercised wisely and properly, of the local authorities; for they would prefer to see the improvements which were from time to time necessary initiated and carried out by the local guardians. Experience, however, had shown that, in some cases, an opposition was offered to improvements which might almost be designated pertinacious, and that serious evils would result were it not for the action of a central authority. It was to deal with such cases and to remedy evils at present existing that additional powers were now asked for. The 1st clause was designed to give greater publicity to the general Rules or Orders of the Poor Law Board, by directing their publication in *The London Gazette.* The 2nd dispensed, with a view to economy, wtih the necessity of sending copies of Orders to the justices' clerks of petty sessional divisions; for gentlemen attending petty sessions were *ex officio* guardians, and would therefore, in that character, become acquainted with such orders. The 3rd repealed the exception contained in 30 & 31 *Vict.* c. 106, s. 2, and thus brought under its operation unions and parishes in the metropolis. The 4th clause dispensed with the consent of a majority of two-thirds of the guardians in certain unions to an alteration in the composition of such unions by the Poor Law Board. It likewise gave the Board power to deal with Gilbert Unions, a proposal which had been distinctly recommended by two Parliamentary Committees. The 5th clause enabled the Board to combine parishes with a population not exceeding 300 with adjoining parishes. There were many small parishes which did not seem to require a separate guardian, and which frequently did not possess the opportunity of an adequate choice. These the Board would have the power of combining with other parishes for the purpose of representation. He now came to three clauses, which had for their object to give additional power to the guardians in reference to matters that had of late attracted a considerable amount of public attention. Those clauses were 6, 7, and 8. Their Lordships could not but be aware that much feeling had been aroused on the subject of various matters connected with the management of workhouses, although the points to which attention had particularly been drawn were, in certain instances, the inadequacy in point of numbers, or unfitness of the officers charged with the management of the poor. The absence of paid nurses had been particularly complained of. The effect of the 6th clause was to give the Poor Law Board power, when the guardians had been called on for twenty-one days to appoint the necessary officers and had failed to do so, to step in and nominate such officers and to fix their salaries. The next clause provided for the appointment of a paid visitor. At present the Poor Law Board were empowered to appoint a paid visitor under 11 *Vict.* c. 59, whenever the Visiting Committee, which must necessarily be appointed by every Board of Guardians, had failed, for a period of three months, to make such appointment. But it was obvious that that provision might be evaded, and instances of such evasion had taken place. Meetings might be held nominally once a month by the Visiting Committees without in any way discharging their duties. The Poor Law Board should therefore have power to appoint a competent person to act as visitor in cases where the Visiting Committee had failed to do their duty, or had not been appointed. Under the next clause, the limited power which the Poor Law Board at present possessed with regard to buildings was extended to the providing of drains, sewers, ventilation, furniture, fixtures, medical and surgical appliances, and other conveniences. By a provision in the original Poor Law Act, and subsequently by Amendments under the 29 & 30 *Vict.*, the Poor Law Board were empowered to spend upon buildings a sum not exceeding one-tenth of the average amount spent in the union during the three preceding years. But that power did not extend to the matters to which he had referred. Their Lordships could hardly have watched the investigations which had taken place during the last eighteen months or two years without observing the great and increasing importance which was attached to these things. Their Lordships were aware of the powers in Mr. Hardy's Act, which gave to the Poor Law Board, in the event of the failure of the Board of Guardians to do so, power to provide the necessary articles in the interests of the poor of the metropolis. That power it was now proposed to give with regard to the country in general. And on this subject, he would take that opportunity of saying that the Poor Law Board could have no object but to see that the requisite conveniences for the recovery of the inmates were duly provided. Supposing Parliament were to intrust them with the powers they now asked for, it would be their wish and their duty to bear in mind the sources from which the necessary expenditure would come—namely, the rates, and to take care that the workhouses and infirmaries should hold out no inducement to unfit persons to enter them. There was no necessity for dwelling on Clause 9; but Clause 10 was one of a very important character. By that clause it was intended to extend the provisions of the District Schools Act, so as to make them applicable to the insane and imbecile poor chargeable on the rates. Their Lordships were aware that those persons only could be kept in workhouses who came under the head of harmless insane, and this was a very large and numerous class, and one for which inadequate provision was made at present. The object of this clause was, where unions had obviously no means of dealing with the imbecile or harmless insane, to enable them to combine into districts, such districts to be managed in the same way as the school districts were, for the purpose of establishing and maintaining a common asylum. It was with a view to give necessary powers for dealing with harmless, insane, and idiots that Clause 10 and also Clause 14 were introduced. Clause 14 gave power to the guardians—but, in the first instance, with the consent of the Poor Law Board—to send the harmless insane either to asylums supported by public subscriptions, or to asylums for the reception of harmless idiots, or to remove them from one workhouse to another. It was a permissive clause, and he thought the guardians ought to be invested with that power. Clause 11 provided that, instead of, as at present, the major part of the whole body of guardians being required to give their consent, the consent of the majority of the guardians assembled after due notice should be sufficient for the formation of a school district. Clause 12 was one which involved matters which must be dealt with elsewhere, and to which, therefore, he need not then refer. The 13th clause contained a provision which was necessary in the event of a separation of a parish from a union in a school districts, or the addition of a parish to such union. He now came to clauses which were of very great importance, calculated, as he believed them to be, to carry out and secure the application of just and proper principles recognized in almost every measure upon the subject of the Poor Law since the original Act of 1834. He referred to the clauses bearing upon the religious rights and privileges of inmates of workhouses, and securing to them proper opportunities of religious instruction and freedom from interference with their religious opinions. The principles embodied in these clauses were recognized in the 4 & 5 *Will.* IV., in the Industrial Schools Act, and in Orders of the Poor Law Board, which had most justly for their object the protection of individual religious belief. Experience showed, however, that the means provided for securing this religious liberty had not been altogether effectual. From the opposition of the guardians in some cases, and from other causes, it had been found that there were no sufficient means of ascertaining and recording the religious views of the inmates of workhouses, and that it had become necessary to have some more definite and clear legislation. This point was distinctly laid down by the Committee of the other House, which terminated their sittings in 1864, and their recommendations formed the basis of the clauses now proposed. Clause 16 provided, that the master or superintendent of the workhouse should keep such a separate register of the religious creeds of the pauper inmates as should be prescribed by the Poor Law Board. That was no new regulation. A register was to be kept under the Industrial Schools Act, and in the Indoor Relief List there is a column in which the religious opinion of each inmate is to be inserted. But that column was mixed up with other entries in a book kept solely by the master; and experience showed that a clearer and more distinct record was required, accessible to the ministers of religious denominations, for the purpose of enabling them to take the necessary means of affording religious instruction to the inmates. He cordially concurred, therefore, with the recommendations of the Committee that a creed register should be kept. Clause 16 provided for the keeping of such a register, and Clause 17 enacted that the master or superintendent should enter in such register as the religious persuasion of any child under fourteen the creed of the father, if this could be ascertained, and if not, the creed of the mother. In the case of an illegitimate child under that age, its creed was to be deemed that of the mother. If, however, it could be shown that the child had been baptized in some other religion than that of the father or mother respectively, the entry in the registry was to be made according to the baptism, unless the father, or, in case of his death or absence, the mother, should otherwise require. Clause 18 provided that, where all other evidence failed, the certificate of baptism should be deemed sufficient evidence of the child's creed; and, further, that if any question arose as to the correctness of the register, the Poor Law Board, after inquiry, should have the power of directing any entry to be amended. Clause 19 provided that every minister of any denomination officiating in the church or chapel of such denomination which should be nearest to the workhouse or school should be allowed to inspect the creed register at reasonable times; and Clause 20, that such minister might, conformably with the regulations of the Board, visit and instruct any inmate of the same creed entered in the register. By Clause 21, every inmate for whom a religious service according to his own creed should not be provided in the workhouse on Sunday, and on any other day required by his religion to be kept sacred, should be permitted, subject to certain regulations, to attend once on such days some place of worship of his own denomination within a convenient distance of the workhouse. Lastly, no child visited regularly by a minister of his own religious creed for the purpose of religious instruction should, at the written request of such minister, be instructed in any other religious creed, or be required or permitted to attend any other religious service than that of the creed under which it was entered in the register; unless any child above fourteen should desire to receive instruction in some other creed, and should be considered by the Poor Law Board competent to exercise a judgment upon the subject. He trusted that these clauses would meet with approval, and that their Lordships would be of opinion that they embodied sound and necessary provisions. The next clauses to which he would refer dealt with the appointment of auditors. At present the whole of England was divided into groups of unions, each group having its own auditor, who is appointed by the chairman and the vice-chairmen of the unions within the group. It has been recommended that this system should be altered; that the districts should be enlarged; and that there should be a smaller number of auditors—men who would devote the whole of their time to the work, instead of men who, for the most part, had other occupations. There were clauses carrying out these recommendations, and it was hoped that, in this way, a regular supervision of accounts would be secured. By Clause 26 the Board abandoned patronage which at present belonged to them relative to the appointment, in certain temporary districts, of registrars, who were now to be elected by the guardians. Clause 29 would facilitate the bringing of appeals against rating in which two unions might be interested, thus reducing the expense of such appeals. Clause 33 gave power to the justices at petty sessions to make an order upon a husband to maintain his wife; and in the case of parents wilfully neglecting to provide adequate food, clothing, medical aid, or lodging for children under fourteen, whereby the health of such children was endangered, Clause 35 gave power to the guardians to institute a prosecution, and made the offence one punishable on summary conviction before two justices by imprisonment for any period not exceeding six months, with or without hard labour. These were, he believed, all the explanations in reference to the provisions of the measure with which he need then trouble their Lordships. He was quite willing to refer the Bill to a Select Committee; but it would be on condition that the Committee should confine itself to the clauses of this Bill, and not discuss the general question of Poor Law administration.

The Earl of KIMBERLEY, whilst approving the proposal to extend the powers of the Poor Law Board, concurred in the opinion that the increased powers should be scrutinized closely. This, however, was essentially a Bill of details, and it was exceedingly difficult to understand its clauses without reference to previous Acts and Committees. Therefore, it would be desirable to refer this Bill to a Select Committee, which would be better able to discuss the effect of the clauses than would a Committee of that House. He concurred with the noble Earl that the Select Committee ought not to go into the general question, but ought to confine itself to the clauses of this Bill. One of the clauses which raised a doubt in his mind was that relating to the appointment of a visitor. The character of it seemed to be peculiar; for it proposed to enable the Poor Law Board to appoint a person to superintend, control, and inspect the guardians appointed by the union at the expense of the union itself. The general principle on which legislation had hitherto proceeded was that local bodies elected by the ratepayers should control their own affairs and pay for the expense of such control, and that the Government should provide an adequate system of inspection, and pay for it out of the Imperial funds. Without very strong reasons that general principle ought not to be infringed. Boards of Guardians were supposed to enjoy the confidence of the ratepayers; and it would be rather hard to pay a person appointed by the Government to inspect them out of the funds they administer. While expressing a doubt with regard to this clause, he thought it might be worth while to consider whether one kind of inspection might not be introduced, and that was inspection by medical officers. The present Inspectors of the Poor Law Board were not able to make frequent visits to any particular union; and they did not possess the knowledge and experience necessary to enable them to advise guardians as to the management of their infirmaries, the accommodation required by patients, the arrangements as to nursing, and a variety of details upon which it was most desirable that guardians should be advised by a competent person. Those who acted as chairmen of local Boards would feel their hands strengthened by the appointment of such an officer. He was glad to observe that the noble Earl had taken a power of establishing infirmaries in certain places. He did not think those infirmaries were needed in rural unions; but in large and populous places such as Birmingham, he thought they might be established with great advantage, not only to the sick poor but to the ratepayers themselves, in the greater economy which would ultimately result from the good management of the sick poor. The clauses providing instruction for the children of poor persons in workhouses in the religion to which their parents belonged were entirely in accordance with the general principles of our legislation. The provisions for securing contributions from men who had deserted their wives and families were excellent. He would not now refer to certain Amendments of which he had given Notice, and which, personally or through some noble Lord, he proposed to move in the Select Committee.

The Earl of ELLENBOROUGH moved that the Bill be referred to a Select Committee.

Earl GREY pointed out that extreme inconvenience frequently arose in unions from the fact that guardians representing small outlying parishes, and who never attended the ordinary Board meetings, went down sometimes in a body on special occasions, and outvoted those who generally conducted the business of the union, often preventing important improvements from being made. He suggested that there should be Poor Law divisions in the nature of electoral districts; and that each division of a union should be represented by guardians who, in their number, bore a just proportion to the wealth and population of the district they represented, and who should be as few as possible.

The Earl of AIRLIE pointed out that

there was no power taken in the Bill for the erection of infirmaries.

Lord REDESDALE said, he could not approve any provision tending to reduce the number of guardians attending a Board. It was never found inconvenient to have a large Board. On the contrary, it was extremely desirable that a Board should be large and that many persons in a country district should be made acquainted with the working of the Poor Law Board—an object which could be attained only by having large Boards of Guardians.

Lord STANLEY of ALDERLEY concurred in the proposal to refer the Bill to a Select Committee.

After a few words from The Earl of Devon in reply,

Motion (by Leave of the House) *withdrawn;* and Bill *referred* to a Select Committee.

And, on April 2, the Lords following were named of the Committee:—

L. Abp. York
D. Richmond
M. Salisbury
E. Devon
E. Denbigh
E. Hardwicke
E. Carnarvon
E. Grey
E. Ducie
E. Ellenborough
E. Kimberley
V. Eversley
L. Clinton
L. Egerton
L. Northbrook

## SEA FISHERIES BILL—(No. 46.)

*(The Duke of Richmond)*

SECOND READING.

Order of the Day for the Second Reading read.

The Duke of RICHMOND, in moving the second reading of this Bill, explained that it had been rendered necessary by the new Convention on the subject of the sea fisheries with the French Government. During the passage of the Bill through the House of Commons, some points of law had arisen as to the effect which the Bill would have on certain fisheries connected with Ireland, and he had thought it right that a case in reference to these points should be drawn up and submitted to the Law Officers of the Crown. In the meantime he proposed to take the second reading of the Bill, on the understanding that the Committee would not be proceeded with until after Easter, when he would be in a position to state the effect of that legal Opinion.

*Moved,* "That the Bill be now read 2$^{a}$."—*(The Duke of Richmond.)*

The Earl of CORK said, that the Bill would to some extent "disestablish" certain oyster fisheries of Ireland, as they were beyond the three-mile limit provided for by the Bill, and were therefore left unprotected by the present measure.

The Duke of RICHMOND said, the noble Earl referred to the Arklow fisheries on the coast of Wexford, which had been under the control of the Irish Fishery Board. But the noble Earl had forgotten to state that oyster fisheries outside the three-mile limit were not within the jurisdiction of the Irish Fishery Board at all.

Lord STANLEY of ALDERLEY said, he objected to the Bill passing in its present shape, as its effect would be to offer inducements to the Channel fishermen to go to Ireland during the close time in the English Channel.

The Duke of RICHMOND said, that under the Convention of 1839, a close time had been agreed to and acted upon between this country and France as regarded the English Channel; but by the operation of this Bill that close time would be reduced by six weeks, so that the inducements to which the noble Lord referred would be proportionably diminished by the measure.

Motion *agreed to:* Bill read 2$^{a}$ accordingly.

House adjourned at a quarter past
Seven o'clock, till To-morrow,
half past Ten o'clock.

## HOUSE OF COMMONS,

*Monday, March 30, 1868.*

MINUTES.]—Select Committee—On Scientific Instruction, Mr. William Lowther *added.*

Public Bills — *Resolutions reported*—Election Petitions and Corrupt Practices at Elections [Salaries, &c.]; Land Writs Registration (Scotland) [Salaries, &c.]; Industrial Schools (Ireland) [Expenses].

*Ordered*—Marriages (Frampton Mansel) *; Prisons (Compensation to Officers).*

*First Reading*—Marriages (Frampton Mansel) * [79]; Prisons (Compensation to Officers) * [80].

*Second Reading* — Local Government Supplemental* [77]; Reformatory Schools (Ireland)* [65].

*Committee*—Perth and Brechin Provisional Orders Confirmation * [74]; Marine Mutiny.

*Report*—Perth and Brechin Provisional Orders Confirmation * [74]; Marine Mutiny.

*Considered as amended*—Mutiny.

*Third Reading*—Inclosure * [73].

*Withdrawn*—Local Officers Superannuation (Ireland) * [17].

## IRELAND—STAKE-NETS ON THE SHANNON.—QUESTION.

**Colonel FRENCH** said, he wished to ask the Chief Secretary for Ireland, Whether he intends, in the present Session of Parliament, to introduce any measure to put a stop to the re-erection of the stake and bag nets and other obstructions to the navigation of the River Shannon, removed by order of the Special Commission on Fisheries?

**The Earl of MAYO** said, in reply, that, in consequence of a decision in the Court of Queen's Bench, a number of stakes and bag nets had been erected in the Shannon and other rivers in Ireland; and it was the intention of the Fishery Commissioners to make inquiries into the matter, and until their Report was made it would not be desirable to legislate upon the subject.

## COMMISSION ON FALSE WEIGHTS AND MEASURES.—QUESTION.

**Lord EUSTACE CECIL** said, he would beg to ask the Secretary of State for the Home Department, When the Report of the Commission on False Weights and Measures, referred to by him at the close of last Session, is likely to be issued, and what prospect there is of his being able to introduce a Bill upon the subject this Session?

**Mr. GATHORNE HARDY**, in reply, said, the Secretary of the Commission informed him that great delay had been occasioned by the death of certain members of the body, and he was not able at present to state when the Report would be ready.

## METROPOLIS—BURLINGTON HOUSE. QUESTION.

**Mr. COWPER** said, he wished to ask the First Commissioner of Works, Whether arrangements are in progress at Burlington House to enable the Royal Academy to vacate, in the early part of next year, the galleries occupied by them in Trafalgar Square?

**Lord JOHN MANNERS** replied, that by the terms of the lease to the Royal Academy the Government reserved to themselves the use of Burlington House until Christmas, 1869. Considerable difficulties had arisen with regard to the alleged interference with the lights of the Albany, which had delayed the prosecution of the works, and he was not able to say whether the works would have so far progressed as to enable the Exhibition of the Royal Academy to be held there next year.

## IRELAND—SEARCHING SUSPICIOUS PERSONS.—QUESTION.

**Mr. BLAKE** said, he wished to ask the Chief Secretary for Ireland, Whether he has seen an account of the Government authorities at Cork having compelled two respectable girls who were present at Mackay's trial (one the sister-in-law to the prisoner) to undress in an exposed room, in disregard of their entreaties that the blind of the window should be drawn down while they were undressing; and to ask if he will direct inquiries to be made as to whether that account is true?

**The Earl of MAYO** said, in reply, that his attention had not been called to the circumstances of this case until he saw the Notice of the hon. Member on the Paper. He had made inquiries upon the subject, and he had been furnished with a Report from the Constabulary Officer, of which the following was an abstract:—

> "On the day of Mackay's trial for murder much excitement prevailed, and a report was generally circulated that, in the event of conviction, an attempt would be made to rescue, and therefore orders were given that all suspicious persons should be excluded from the Court. The actions of three females while in Court attracted the attention of the police, and roused suspicion, as it was supposed that they might have revolvers or some explosive substance concealed about them. Accordingly, when the Court adjourned, they were brought to the housekeeper's room, where they were searched by the female searcher. Two submitted to the search; the other refused, and she was not searched. The room to which they were taken had no blind to the window; but no person could see into it, as it was only overlooked by the windows of the Judge's and Jury's room, all of whom had left the Court, which was shut up at the time."

## ARMY—COOKING APPARATUS. QUESTION.

**Mr. THOMSON HANKEY** said, he would beg to ask the Secretary of State for War, If an Army Cooking Apparatus, made and patented by Messrs. Jeakes and Co., has been submitted to or reported on to him; and whether it is not a much cheaper and much more efficient Cooking Apparatus than that of Captain Warren, R.N.?

**Sir JOHN PAKINGTON** replied, that he was unable to answer the Question of the hon. Member, as the apparatus had not been reported upon. He had given directions that both apparatuses should be tried at the Wellington Barracks.

## IRELAND—CASE OF MR. JOHNSTON.

### QUESTION.

COLONEL FORDE said, he wished to ask, Whether the Government will authorize the Governor of Downpatrick Gaol to allow the friends of Mr. Johnston to see him in private, and on his parole to take exercise through the gaol grounds?

THE EARL OF MAYO said, in reply, that he would remind the hon. and gallant Gentleman that Mr. Johnston might, if he had pleased, have left the gaol on the 10th of March last, for his sentence was commuted by the Lord Lieutenant on condition that he should enter into his own recognizances. This he refused to do, and he therefore still remained in gaol. He had every reason to believe that the ordinary regulations of the gaol had been considerably relaxed in Mr. Johnston's favour; but, although it was not his province to interfere with these matters, he had written to the Governor to intimate that no objection would be offered on the part of the Government to the relaxation of the rules of the gaol, provided that relaxation were made in accordance with the wishes and views expressed by the Board of Superintendence.

## ESTABLISHED CHURCH (IRELAND).

### MOTION FOR A COMMITTEE.

MR. GLADSTONE: Sir, I beg to move that the Acts relating to the Established Church in Ireland be read.

Acts [39 and 40 Geo. 3, c. 67; 3 and 4 Will. 4, c. 37; 1 and 2 Vic. c. 109; and 1 Will. and Mary, c. 6] read.

COLONEL STUART KNOX moved that the 5th Article of the Act of Union be read.

The CLERK then read the following Article:—

"That it be the 5th Article of Union that the Churches of England and Ireland, as now by law established, be united into one Protestant Episcopal Church, to be called the United Church of England and Ireland; and that the doctrine, worship, discipline, and government of the said United Church shall be and shall remain in full force for ever, as the same are now by law established for the Church of England; and that the continuance and preservation of the said United Church, as the Established Church of England and Ireland, shall be deemed and taken to be an essential and fundamental part of the Union; and that in like manner the doctrine, worship, discipline, and government of the Church of Scotland shall remain and be preserved as the same are now established by law, and by the Acts for the Union of the Two Kingdoms of England and Scotland."

MR. H. E. SURTEES moved that the Clerk read that portion of the Act of William and Mary that now applied to the Coronation Oath of Her Majesty.

The CLERK read the following formula prescribed for use on such occasions by the Act referred to:—

"ARCHBISHOP.—Will you solemnly promise and swear to govern the people of this United Kingdom of Great Britain and Ireland, and the dominions thereto belonging, according to the statutes in Parliament agreed on and the respective laws and customs of the same?

"QUEEN.—I solemnly promise so to do.

"ARCHBISHOP.—Will you to your power cause law and justice in mercy to be executed in all your judgments?

"QUEEN.—I will.

"ARCHBISHOP.—Will you to the utmost of your power maintain the laws of God, the true profession of the Gospel, and the Protestant reformed religion established by law, and will you maintain and preserve inviolably the settlement of the United Church of England and Ireland, and the doctrine, worship, discipline, and government thereof, as by law established within England and Ireland, and the territories thereunto belonging? And will you preserve unto the bishops and clergy of England and Ireland, and to the churches there committed to their charge, all such rights and privileges as by law do or shall appertain to them or any of them?

"QUEEN.—All this I promise to do.

"Then the Queen, taking the coronation oath, would say these words—'The things which I have here before promised I will perform and keep. So help me God.'"

MR. GLADSTONE: I now rise, Sir, to move that this House will immediately resolve itself into a Committee to consider the said Acts—that is to say, the Acts relating to the Established Church in Ireland; and I cannot for a moment regret that the Gentlemen who have just interposed Motions, accepted as matter of course by the House, should, by the passages they have caused to be read from the existing laws of this country, have reminded us upon how solemn a duty we are now about to enter. I likewise construe those Motions as implying that there are in this House men who intend to meet the plain, the broad, and intelligible proposition which I ask the House to accept by other propositions equally plain, broad, and intelligible, and that the great controversy—the solemn controversy, for such it is—in which we are about to engage, is not to be degraded into a warfare of trick and contrivance, but is to be conducted on the other side of the House, as well as on this, in a spirit which befits the magnitude of the issue. Now, Sir, I originally proposed the Resolutions which I have placed on the Paper under the expectation that I should have explained them to a Committee of the whole House; but the noble Lord (Lord Stanley) exercising a perfectly legitimate discretion, has appended to the comparatively formal Motion, as far as its words are concerned, which I now propose to make, an Amendment raising the merits of the case, and has thus thrown upon me the responsibility and duty of endeavouring to explain to the House without delay the general nature of the proposition which I wish to submit to it in antagonism to that of the noble Lord. Sir, I intend to ask the House, if it should go into Committee, to assert in the first place, that in our opinion the time has come when the Established Church of Ireland should cease to exist as an Establishment. I do not think it would become me, either at the present moment, or at any subsequent stage of the debate, which may or may not follow, to make myself responsible, in all its important and complex details, for a plan which shall have for its aim to give effect to my purpose. It would show, I think, entire forgetfulness both of the limits of my duty and of the resources which I have at my command, and likewise forgetfulness of the limits of duty pertaining to a party in opposition to Her Majesty's Government, were I to undertake responsibility for the details of such a plan. At the same time I think, on the other hand, that I should not be justified in endeavouring to shelter myself under the freedom of a Member of the Opposition from distinctly indicating to the Government, the House, and the country the general bases and conditions of the measure which I wish to suggest for consideration. Therefore, Sir, I say, partly repeating and partly enlarging words which I used on a former occasion, that the aim and purpose of that measure is to cause the cessation of the Established Church of Ireland as far as it is a national Establishment of religion. That cessation must, in my judgment—I will not merely say might, nor ought, but, in my judgment, absolutely must—be subject to the condition, in order to make it an honourable and worthy measure, that every proprietary and every vested right shall receive absolute compensation and satisfaction. And beyond that I go one step by saying that as in an operation so extended there will necessarily arise matters to be considered which are as much or more matters of feeling than of strict rule and principle, and as there will be likewise points which may be subject to fair and legitimate doubt, my opinion is that every disposition should exist to indulge and to conciliate feeling when it can be done, and in every doubtful case to adopt that mode of proceeding which may be most consistent with principles of the largest equity. Sir, if I am asked, what I look upon as the conditions under which the State should endeavour to enter upon a new state of things, as far as regards the religious Establishment in Ireland—if I am asked what it is that, in endeavouring to put an end to the present Establishment, I renounce for the future, I would again say that that which I renounce for the future is the attempt to maintain, in association with the State, under the authority of the State, or supported by the income of the State, or by public or national property in any form, a salaried or stipendiary clergy. But as those connected with the Established religion of Ireland are not the only persons interested in this matter, it is right that I should say, in regard to other bodies who now receive grants for purposes of religion, either directly for religious worship or for education having religious worship for its ultimate end, that, in my opinion, the more limited cases of those bodies must be met by the application of analogous principles of justice, equity, and even, I would say, indulgence; but beyond that I hold that the aim of all these proceedings would be to comply—as far as I understood the words read by my hon. and learned Friend the Member for Sheffield (Mr. Roebuck) to comply with the language of the prayer of a petition he has presented, and to put an end within the realm of Ireland to all Grants from the Consolidated Fund to be applied for purposes of any religious denomination whatever. Having said this much I think I have only to add one more proposition, and to say that, when after satisfying every just and equitable claim, we shall have to contemplate at some future time the application of a residue, that residue will have, in my judgment, to be treated strictly and simply as an Irish fund for the benefit of Ireland. I think that with these words I have satisfied the duty incumbent on me, not of proposing a distinct and perfect project upon this great subject, but of indicating to Parliament the line which I humbly ask it, and would fain urge it to pursue. I cannot fail to observe, in the preliminary skirmishing on this important question—whether it be owing to a scarcity of other arguments I know not, and, perhaps, it would not be fair for me to insinuate that it is so; but, undoubtedly, there has been thus far a most copious use of that kind of argument which sometimes indicates a scarcity of other kinds—I mean the *argumentum ad hominem.* Much blame has been bestowed upon Liberal Governments and upon the Liberal party for not having sooner addressed itself to a settlement of the question of the Irish Church; and it has been contended that, as the Liberal party has not done so in former years, it is neither entitled nor warranted to attempt it now. There is no doubt about the fact that for thirty years—that is to say, since 1838—no serious effort has been made by the Liberal party as a whole, or by any Government, Liberal or Conservative, to open up the question of the Irish Church, and those who may think fit to review the various Motions that have been made by Members anxious, at all events, to keep alive the discussion will find that, for the most part they have been Motions of an exceedingly indecisive character, sometimes for a Select Committee, sometimes for a general consideration of the matter, sometimes to recommend it to the consideration of the Government, but never going to the root—never proposing that the existence of the Irish Church as an Established Church, should be brought definitively to a close. And, for one, I do not hesitate to say that, in my judgment, the Liberal party and Governments of all kinds—both Liberal and Conservative—have been perfectly justified in that course. There has been no state of things, in my opinion, in this country, and especially in Ireland—in the feeling and opinion of Ireland—which would have enabled this great question to be opened upon a basis of that breadth which it requires; and I own that the votes which I have myself given upon various Motions have been given against partial measures intending partial application of remedial principles, and those votes I am willing to admit I would repeat. I hold, Sir, that those who profess Liberal principles in this House are open to no charge of having failed to bring under discussion this great question, with a view to definitive settlement, until they saw that the time had arrived—this is a matter which I am not going to assume, but which I shall presently endeavour to prove—until they saw that the time had arrived when there was a prospect of carrying their views to a successful issue. As to myself, nothing could be more lowering to the tone of the debates in this House than that I should for a moment suppose that considerations personal to myself can affect the issue of a contest such as that which we are about to try. We have heard so much of late, not only of apostacy, but of sudden apostacy, that I will venture, without detaining the House for more than two minutes, to make this observation. Suddenness is a relative term; there are many in this House who know it to be a relative term. All I will say on that point is, that a change which extends itself over a quarter of a century, when estimated by the true standard—that is, with reference to the ordinary length of human life—is hardly to be esteemed a sudden change. In 1846 I was invited by a person of great influence—having then lost my seat on account of the Corn Laws—to oppose a Member of Lord Russell's Cabinet, and thus endeavour to obtain for myself a seat in Parliament. I have in my possession the reply which I made, and in which I state that it was impossible for me to oppose that Gentleman—first, because we were then engaged in the controversy of Free Trade, in which we had fought upon the same side; and, secondly, another great question which I then thought might come forward was the question of the Irish Church: he was opposed to it, and it was impossible for me to pledge myself upon principle to maintain it. In the following year I had a more searching test, for I had a contest of four months' duration for the University of Oxford. Application was made to me to know what position I took up with respect to the Irish Church, and my answer was that I did not anticipate the proposal of a plan which would lead me to vote for a change in the Ecclesiastical Establishment of Ireland; but that to maintain it in principle I must entirely decline. I saw no such likelihood. But in the year 1865 it appeared to me that in the then coming Parliament we probably should have to deal with this question of the Irish Church. And therefore I took the opportunity, for the fair warning and notice of my constituents, of making a speech in which I detached myself entirely and absolutely from the maintenance of the Irish Church, either on a larger or on a more contracted scale. Having had that notice they, as they were perfectly entitled to do, took advantage of it; and the consequence is that I am not Member for Oxford University, but Member for South Lancashire. I pass on to describe what I own I have a strong persuasion has not presented itself in full to the minds of hon. Gentlemen on that side of the House—perhaps not in full to the minds of hon. Gentlemen on this side. Having undertaken the great and heavy responsibility—for a heavy responsibility it is—of making this proposal, I wish to indicate concisely to the House the position in which, as it appears to me, the proposal, if accepted, would leave what I should then have to call, not the Irish Established Church—but, for the sake of distinction, I will call it the Anglican Communion in Ireland. We should begin by a recognition of every vested interest. And I am bound to say, in speaking of vested interests, that it appears to me at least a matter for argument and consideration, whether we can strictly and absolutely limit the phrase to those who are in possession of benefices, or whether some regard ought not possibly to be had—though it would be premature to give an opinion upon the point—to the case of those who have devoted themselves to an indelible profession, that separates them from the great bulk of profitable secular employments, in expectation of the benefices which we have kept in existence by law under our authority, even though they may not actually have entered upon them. Do not suppose that I wish to commit anyone by any admissions upon that subject, or to say that these cases rest on the same foundation as well-defined vested interests. I say nothing of the kind. All I say is that I, for one, do not at this moment absolutely shut the door against them. Well, Sir, with regard to this question of recognition of vested interests, I apprehend that, if the Irish Church were disestablished, none would propose to deprive those who have worshipped in its sacred fabrics of the future possession and use of those fabrics, provided they are willing to maintain them, and to apply them to religious purposes. On that subject I feel the utmost confidence, and I feel almost an equal confidence that the very same lenient judgment which goes to the Church would go likewise to that which is inseparably connected with the Church—I mean the residences of the clergy. In addition to this, we are told, and fairly told, that the great bulk of the proprietors of the soil of Ireland are members of the Established Church of Ireland. I apprehend I am not wrong in assuming, first, that the proprietors of advowsons would have the strictest and the most absolute claim to full compensation for the value of their property; and, secondly, that these proprietors of advowsons—who, I am aware, are not nearly as numerous, relatively to the whole number of benefices, as they are in England, the benefices in private gift in Ireland only amounting, roughly, to one-sixth of the whole—are in the vast majority of cases, members of the Established Church, and to them would be paid the money which the State would find to be the value of these advowsons. There is another class—I am afraid not a very extensive one—the category of recent endowments; of persons, some of them even now living, some of them but lately gone from among us, who have out of their own means and liberality, built churches and devoted funds for the purposes of the Established Church in Ireland. Such endowments, I apprehend, would, under all circumstances, be respected. Now, putting together these various items—and this is but an imperfect sketch; it has no pretence whatever to be a definite statement—I believe that the effect of this much-dreaded disestablishment of the Church, conducted as I have endeavoured to describe it, would be this, that if the full money-value of the entire possessions of the Irish Church, fairly sold in open market, were estimated, certainly not less than three-fifths, possibly two-thirds, would remain in the hands of members of the Anglican Communion. I know not with what feeling hon. Gentlemen may listen to that announcement. It is an announcement which, as far as I am concerned with it, I make quite irrespective of the reception it may meet with. It is a matter of fact. It is the best estimate that I can make: and my belief is, that between these limits of three-fifths of the whole and two-thirds of the whole would be found the share remaining to the members of the Anglican Communion in Ireland. Nor let it be said that that which is paid on the score of vested interests would not be paid for the purposes of the Anglican Communion: because, I apprehend it is quite clear — indeed, I assume, without argument—that when you say you will respect vested interests, you do not intend to say that you will give to the bishop and clergy, for doing nothing, incomes which they now receive under an engagement to do something. Their duties to their flocks, slight as they may be in some cases, onerous in many others, would still remain; and those gentlemen would still be available and remain engaged in the service of the religious communion to which they belong for their lives, even after the disestablishment of the Church. Well, but that proportion, whatever it may be, the Irish Church, the Anglican Communion in Ireland — call it what you like — would not only possess, but enjoy. It would hold its property no longer amid an estranged and alienated population; it would hold it, I believe, with the perfect and cordial good-will of all sects, all parties, and all persuasions, both in this country and in Ireland. And along with that share, at least, of its temporalities, which I apprehend it would receive—I have no authority to say so, but it appears to me a logical and moral necessity in the case — along with that, from the very moment when its title is cancelled as an Established Church, it must receive that freedom of action, that power of falling back on its own internal energies, and developing them for its own good, which so many religious communities in this country value at such a price that they feel it to be a treasure far greater than all that the State can protect or all that the law can give. I own I cannot see that the condition sketched prospectively for the members of the Established Church in Ireland is, in itself, at all a lamentable or a deplorable condition. That, however, is no reason why we should do the act that I now recommend. Nor will I endeavour to recommend that act by any plea which, as far as I can perceive, involves exaggeration. It is, in my opinion, an exaggeration to make the Irish Established Church, in its present form dating from the Reformation, responsible for the great grievances of ascendancy and of national estrangement in Ireland. It is very true, as has been said, I think, by Dr. Brady—I mean Dr. Maziere Brady—who has written on this subject—

> "The Establishment was Papal, but anti-Irish from 1172 to 1560, and from 1560 to 1868 it was anti-Papal and anti-Irish too."

There is no greater authority on this question than Mr. Burke. His writings, with regard to Ireland, as well as upon other matters, are full of wisdom. In his tract upon the *Popery Laws* he gives it as his opinion—

> "Either that a 'religion not very remote from the Protestant' prevailed in Ireland before the English came there"—

Or at least—

> "That Papal authority was much lower in Ireland than in other countries."

And that—

> "It was the working of English power and influence, and the English immigration into Ireland, which first thoroughly knit the Church of that country into organic communion and subjection to the Church of Rome."

And he winds up by saying—

> "No country, I believe, since the world began, has suffered so much on account of religion; or has been so variously harassed by the same persons, both for Popery and for Protestantism."

But, dismissing any charge of that kind, I can only say that the case is much strengthened when we consider that it has been the particular misfortune, the dark fatality of this Church question, that all along, though no doubt in varying degrees, religious Establishments under English protection have been associated with British power, and, instead of tending to unite the feelings of the Irish nation in unity with the people of this island, have unhappily been—as Mr. Burke says, first for Popery and next for Protestantism—all along a cause of estrangement and disunion. Well, now the arguments very generally advanced for the maintenance of the Irish Church are something of this nature:—That to disestablish it would be contrary to the Act of Union and dangerous to the Church of England; that such a measure would be injurious to the Protestant religion; that it would be subversive of property; that it would be contrary to the assurance given by the Roman Catholic party; and that the tithe is paid by the landlord. Now, I think the tithe is not paid by the landlord; and as for the assurance of the Catholic party, I cannot consent that any such assurance should bind me to uphold what I conceive to be unfair to the Catholics and injurious to the Empire. In this matter I say we should exercise our own freedom and judge what is for the common good; and it is on the ground of the common good I ask you to consent to the disendowment of the Established Church in Ireland. Then it has been said that such a measure would be subversive of property. I have not heard that argument in the present controversy, though it was in vogue with high authorities five-and-thirty years ago. I shal therefore abstain from dealing with it till it is brought before us. As for the measure being contrary to the Act of Union, I do not think that at this time I need dwell upon that point; but one remark I may make with reference to it, which is this — that when we come to argue the point in detail, it can, in my opinion, be shown that the view of the great Minister who framed the Act of Union was as far as possible from the view of those who are now maintaining that an Established Church in Ireland is the *peculium*—particular privilege and monopoly of the Protestants. Mr. Pitt, according to his biographer, used these words, and they are very important, as showing that he did not contemplate only a relief to the Catholics from political disability; but that his large and comprehensive mind contemplated putting them on a footing of religious equality with their Protestant fellow-subjects, as soon as the opportunity for so doing should arise. He said—

> "By many he knew it would be contended that the religion professed by the majority of the people would at least be entitled to an equality of privileges."

What was Mr. Pitt's answer to that? That it was a thing intolerable in principle? No, but that it could not be done while Ireland remained a separate kingdom; that—

> "No man could say that in the actual state of things, while Ireland remained a separate kingdom, full concessions could be made to the Catholics without endangering the State, and shaking the constitution of Ireland to its centre."

I think, therefore, there is ample room for the opinion that Mr. Pitt contemplated at least a system which is now becoming wholly impossible—namely, that of general endowment. But that general endowment was but a means by which he sought to attain an end, and the end which he sought to attain was nothing but religious equality. That we are endeavouring to reach by the means now open to us, and in doing so we are acting in accordance with the views and the spirit of Mr. Pitt. But it is said, Sir, that this disendowment would be dangerous to the Church of England. This appears to be a favourite argument. But assertion may be met by assertion; and while, no doubt, many persons may believe that the disendowment of the Irish Church would be an injury to the Church of England, I claim for myself the liberty to hold an entirely opposite opinion. I maintain that to relieve the Church of England from a position which politically is odious and dangerous, and which socially is unjust, will be to strengthen her foundations, and give her fair play in the exercise of her great mission. We shall, no doubt, hear much more on that subject; but there is at least one form of that objection with regard to which I think sufficient attention has not been paid. There is a famous saying of Mr. Hallam—I do not remember the precise words, but of which this is the sense—that there is no medium in the policy of a State between persecution and expatriation, and toleration and admission to a footing of equality. Certainly, as far as the history of Ireland is concerned, it tends in a remarkable degree to afford proof of the wisdom of that proposition. I have, with such materials as were open to me, endeavoured to obtain the estimates formed at different times of the respective numbers of Roman Catholics and Protestants in Ireland. It is very remarkable, but this appears to be the case —that the un-Christian, barbarous, and abominable Penal Laws were in a manner successful. The number of the Roman Catholic community in a certain degree, though slowly, diminished so long as the pressure of these Penal Laws weighed upon them; but from the time when those laws were relaxed and when the feeling of liberty and civil life began to glow in the breast of the Roman Catholic, and there was some field for the development and exercise of his energies — from the time of our embarking in an intermediate system to maintain the Established Church in Ireland—our experiment has been a total failure; the proportion of Roman Catholics to Protestants has increased in a remarkable degree. In 1672, Sir William Petty gave numbers, which when I reduce the fractions to a common denominator, as I have done in respect of all the figures I am about to quote, show that the Protestants were at that time to the Roman Catholics as three to eight, or forty-five to 120. In 1730, or about that date, a very careful inquiry took place, entirely under the direction of the Government, and it was found that the Protestants were as two to five as compared with the Catholics; they had grown to the proportion of forty-eight to 120. But at that time, according to another authority, Bishop Burke the Roman Catholic Bishop of Ossory, the Protestants were as two to four, or as sixty to 120, when compared with the Roman Catholics. In 1762 Bishop Burke published a work, in which he complains that under the influence of the Penal Laws and the charter schools the Protestants had steadily increased; but, as there is no precise estimate of the numbers, I cannot give them. In 1784, only six years after the first relaxation of the Penal Laws, a computation was made, which must necessarily have been of a loose character, but to which great value appears to have been attached by persons of authority. I dare say it will create a smile in the House when I mention in what way this estimate was made. It was founded on the number of beggars who came to the House of Industry in Dublin. There were no Poor Laws in Ireland at that time; and, as it was believed that the applicants for relief at the House of Industry included persons from all quarters of the country, it was thought that they represented the different religious creeds in about the proportionate numbers which the members of those creeds bore to one another in Ireland. The result is important, as showing that in 1784 the proportion was the same as in 1730—namely, that of sixty to 120, or as two to four. In 1801 an estimate was given from the Protestant side. In Sir Richard Musgrove's *History of the Rebellion in Ireland,* second edition—the second edition was published in 1801, and I suppose the figures refer to 1800—there is an estimate which shows that the Protestants had sunk to the proportion of forty to 120. The Catholics themselves claimed still more. In 1834 there was an accurate investigation made under the authority of the British Government. By the Census Returns of that year it appears that the Protestants had still further sunk. Instead of being as sixty to 120 in their proportion to the Roman Catholics—as they had been 100 years before; or as forty to 120, as they had been in the beginning of the century—they were only as thirty to 120, or one-fifth of the whole population. In 1861 they were a trifle over one-fifth, but the change was so slight as to be scarcely worth notice. If we are told that the removal of a public religious Establishment from Ireland will be injurious to Protestantism, I would ask what is the meaning of the words "injurious to Protestantism?" The meaning must be this—that the maintenance of this religious Establishment has been beneficial to Protestantism. And yet it is shown by evidence which, although in all its details it may not be perfectly precise, is nevertheless clear and conclusive for every practical purpose, that ever since you receded from the cruelty of the Penal Laws, the attempt to maintain your Establishment has had this effect—that along with it there has been an immense increase in the proportion of Roman Catholics to Protestants in Ireland. It may, indeed, be said, "Yes, the case is very bad, though it would have been still worse but for our religious Establishment." I trust, however, that that argument will not be used in a House of Commons which, by an overwhelming majority, is a Protestant House of Commons; for dismal, indeed, is our condition if, as professors of a certain religion, we cannot look our Roman Catholic fellow-citizens in the face and meet them on a fair field; and if, the moment we are threatened with civil equality, we are obliged to utter doleful vaticinations about the extinction of our faith, and to confess that we have only been prevented by extraneous and factitious aid on the part of the State from being swallowed up in the great vortex of the Papal faith. At the same time, I am bound to say I am not one of those who greatly regret the loss of what was termed the Appropriation Clause. I repent undoubtedly of certain arguments which I used against it in speeches, of which the most recent was delivered thirty-two years ago; but that Appropriation Clause did not satisfy the principle of justice, and it certainly tended, in my opinion, to give a new charter to the Protestant Church, upon a principle of pure personal preference to members of that communion, and to place it on a footing which, in my judgment, was not tenable. But there are other reasons why it is very well that these thirty years of trial should have afforded us an opportunity of arriving, as we all wish to arrive, at a determination as nearly perfect as possible; and I think it but fair to the Established Church in Ireland to admit that, until very recent times, it has not had a perfectly fair trial as a religious community, for so incredibly perverted was the system under which Ireland was governed during the last century, that the Established Church could hardly be called a religious institution. I must ask the House to listen to a most remarkable passage—and it is the only other one which I shall read to the House—from the writings of Mr. Burke. He is describing the spirit and operation of the Penal Laws—and the multitude of noble passages on the subject that might be quoted from him, if there were time, would be far better than anything I could say. He says—

> "From what I have observed it was pride, arrogance, and a spirit of domination, and not a bigoted spirit of religion that has caused and kept up these oppressive statutes. I am sure I have known those who have oppressed Papists in their civil rights exceedingly indulgent to them in their religious ceremonies, and who really wished them to continue Catholics in order to furnish pretences for oppression. These persons never saw a man (by converting) escape out of their power but with grudging and regret."

I admit it is difficult to realize the whole spirit and meaning of these words, and to see to what depths of degradation a politico-ecclesiastical system misapplied can unhappily descend. But, undoubtedly, those days have gone by. Between the beginning of this century and the year 1830 there was a great revival of piety and zeal among the clergy, and great improvement in the ecclesiastical laws of Ireland. But by the year 1830, which was about the date when you had for the first time a zealous and active clergy in Ireland, they found themselves unhappily involved in the tithe wars, and at that unhappy period, before the passing of the Tithe Commutation Act, the collection of the tithes was in the hands of the tithe proctors, who levied them from even the humblest occupier of the soil. In such circumstances it was almost vain to think of the progress of religious work. This difficulty, however, was taken away in 1838, when the Tithe Commutation Act was passed without an Appropriation Clause. Undoubtedly, many of us are open to some reproach for having, by the Tithe Commutation Act and the Church Temporalities Act, wasted to some extent the ecclesiastical property of the country, in order to work down the argument drawn from the existence of the tithes. A commission of 25 per cent was given to the landlord for collection, and undoubtedly that was a most liberal percentage. I do not, however, intend by that remark to weaken the landlord's title in the slightest degree; for I believe that the arrangement which was come to has been regarded as a final arrangement, and therefore what has been done cannot be undone. But during the thirty years which have elapsed since 1838, what have we had in Ireland? In the first place we have had the clergyman pursuing his vocation in perfect tranquillity, and without an external barrier of any kind to impede him. In the second place, we have had a clergy claiming and well earning the name of an able, a zealous, and a pious clergy. What more could be desired to test the capacity of the Church? And yet, Sir, more there has been, because there has been a great calamity—a famine, which pressed principally, though not entirely, on the Catholic population of Ireland, and which gave to the Protestant clergy, as the dispensers of alms, both on their own behalf and on that of England, access to every cottage in Ireland, and placed in their hands such a leverage of social power as can hardly be over-estimated. The plague was followed by emigration, and all these burdens weighed chiefly on the Roman Catholic population. Yet, with all these advantages on the side of the Establishment, and with that terrific calamity reducing the numbers of the Catholic population, it appears from the Census of 1861 that, although some change has taken place, it is so insignificant that we may fairly call it imperceptible; for I believe, if we contemplate the conversion of Ireland at the rate indicated by these figures, some 1,500 or 2,000 years at least must elapse before we complete the task. I have dealt with these general considerations, and now I will endeavour further to justify the proposal which I am going to submit to the House. I ask the House in substance to do two things. The first is to make a declaration which by itself is in the nature of an abstract Resolution—namely, a declaration that it is necessary that the Established Church of Ireland should cease to exist as an Establishment, due regard being had for vested interests and the rights of property. But I also ask the House to take a further step. I ask them to arrest appointments which might be made from this time forth, with a view of reserving to the new Parliament, in the most convenient form of which circumstances will admit, the final disposal of this great and complicated question. The object is to arrest in the first place episcopal appointments; the state of the law being such that where a vacancy occurs in a see, and no provision is made for filling it up, the law itself provides for the exercise of jurisdiction and the performance of all necessary spiritual acts. I need not, I think, go into details for the purpose of sustaining the correctness of this statement, nor do I think it will be maintained that any intolerable grievance would arise from a short suspension of these episcopal appointments, if we are to judge of the capacity of bishops to perform spiritual duties for a given amount of population by the scale which prevails in England, and which, on the whole, is not an unfair scale. Undoubtedly there is in the case of the twelve Bishops of Ireland, with their 700,000 adherents, abundant space and scope to enable temporary provision to be made without any serious inconvenience. With respect to capitular appointments, I think the policy of suspending them still more clear. As to parochial appointments, I do not propose to attempt any interference with that limited number of parishes which are in private patronage; for we cannot touch those parishes without interfering with proprietary rights, and we can only deal with proprietary rights in a satisfacfactory manner when we come to consider the conditions of a final and conclusive measure. With regard to parochial appointments not in private patronage, I may point out that provision is already made for the case of certain parishes in Ireland which only contain a very few Protestants; and in reference to parishes having a larger proportion of Protestant inhabitants, there are provisions suitable in the main for the purpose to which I am now referring. Besides the stopping of such appointments, it appears to be necessary to stop the proceedings of the Ecclesiastical Commissioners in Ireland, and this, like the suspension of appointments, can only be done by passing an Act of Parliament. It would, in my judgment, be most unconstitutional, and I do not think the House would entertain it if I were to propose it, that any of these things should be done by the mere will of the House of Commons. It is plainly the affair of the Legislature; it is the business of the Crown Estate and the Bishops' Estate to continue to fill the office until the law is altered. In the same way it is the business, I have no doubt, of the Ecclesiastical Commissioners to do all they are now doing with the large revenues which they possess until the law steps in to restrain them. In my opinion, it is very necessary that the law should step in to restrain the Commissioners, and for this reason — their duties are not confined to meeting the exigencies of divine worship, whether in the case of the expenses of service or the expenses of the necessary repairs of fabrics. The Commissioners from year to year lay out large sums in the entire re-fitting of churches, and in the renovation of the fabrics, and in the foundation of the new churches. Not only so, but I find the erection of new benefices is within the jurisdiction of the Commissioners, and from time to time they perform that operation. In order to show how far I am justified in asking the House to endeavour to reserve the *status quo*, and to prevent the growth of new vested interests and new permanent charges, I would just take two cases of benefices. Newtown Lennan, in Lismore diocese, was erected into a separate benefice in 1867. It was appointed to by the patron—the Crown or the Lord Lieutenant of Ireland. That new benefice, I understand, erected in 1867, has a population stated to consist of four Anglicans and 1,143 Roman Catholics, and the net annual value is £331. The other case is Kilmoylan-with-Cummer, and the appointment is in 1868. Here the statement shows that the population is four Anglicans and 2,769 Roman Catholics, and the net annual value is £291. The number of four Anglicans is so very remarkable that, if I had not received the same from a person of some authority, I should have suspected the accuracy of the statement; but whether it be accurate, or whether it be not, my contention—as is said in Courts of Law—is, that these new benefices ought not to be erected if the House of Commons intends to deal seriously with the question of the Established Church in Ireland. By the first part of the proposal I have to make, I wish to test the question, whether the House does or does not think the time is come for dealing thus seriously with the Established Church in Ireland; but if we do think that the time is come, then I must say that I hope we shall not be content to launch forth upon the winds of heaven that most unsatisfactory creation of human wit, when it stands alone, which is known within these walls by the name of an abstract Resolution. During all my public life I have seen nothing but discredit, false hopes, and bitter disappointments come from these abstract Resolutions. I do not think I have ever been responsible for one, and I am not willing to be responsible for one on this occasion. I know very well that this Parliament—competent as it is in all authority, and not less than any Parliament that has ever sat in this House—must, notwithstanding, look forward to a limited existence. It would be folly to attempt to charge it during that limited period of existence with duties which are beyond its capacities and its power. The duty I would point out to the

House is this: not of forestalling, not of determining the final arrangement that may be thought fit for disposing of this whole question, but the duty of preventing the fresh and constant growth in the interval which is yet remaining before a final measure—an interval which may be shorter or which may be longer—a growth of a new crop of vested interests; a creation of permanent engagements which may fetter to a most serious extent the judgment of Parliament. In order to estimate the importance of that topic, suppose that we were in circumstances in which I could ask you, and in which you could agree, to pass a conclusive measure at this moment for this disestablishment of the Irish Church. If you chose to make the course for that measure such as Coleridge describes to be "the course of the cannon-ball, shattering that it may reach, and shattering what it reaches," then indeed you would have but a short future with which to reckon. But every man in this House denounces that. You are determined to give the fullest consideration, not only in a matter of property, but of privilege and of duty, to those who are now in possession. But, right and indispensable as this is, let us not conceal from ourselves that the practical effect is to involve us in many and complicated difficulties, and to postpone the sensible operations of measures for many years, and the final and full operation of it for almost one generation; because it will not be ten years nor twenty years—it will hardly be thirty years perhaps, unless prudence in the meantime should dictate, with the good-will of all parties. If you think it is right, in the language which will be proposed to you, that the Established Church should cease to exist as an Established Church in Ireland, and if you choose to adopt the mode of operation proposed, the final effect of this Resolution will have to be postponed. Is it not obvious common sense; is it not necessary, in order to give assurance in all good faith and to maintain our credit, that we should without hesitation do that which is perfectly simple in its character—namely, arrest the progress of operations which tend greatly to fetter the future discretion of Parliament? My noble Friend opposite (Lord Stanley) has given notice of an Amendment upon my Motion. I think — indeed, I have such a respect for the noble Lord's knowledge of the English tongue, that I feel satisfied that the Amendment has been drawn so as to allow of a critical consideration in regard to its terms; but if my noble Friend can contrive to show that an inquiry now in progress can be called a pending inquiry, he certainly would be a new light upon the English language. But, passing from that trifle, I ask myself what benefit is to be attained by a dilatory Amendment such as that of the noble Lord. It is, I think, a safe assumption that that Amendment will carry no consolation to the mind of the Irish Church. I will illustrate my meaning. Suppose instead of proposing the disestablishment of the Irish Church, some hon. Member of wild counsels and intentions had put upon the Notice Paper of this House, a proposition that it would be expedient, with due regard to vested interests, to make provision by law for the extinction of the House of Peers, would the noble Lord have gone forward and have told us that he thought it was possible considerable modifications might, perhaps, appear to be expedient, as the result of the great constitutional change which he recently has been an instrument in bringing about; but that he was of opinion that any proposition tending to the disestablishment of the House of Lords ought to be reserved for the decision of a new Parliament? [*Laughter.*] That may seem like a jest; it is but too sad earnest. It indicates a mode in which, so far as depends upon the counsels of the Executive, this great question of the Irish Church is to be dealt with. For myself, I avow that I have carefully avoïded all endeavours to stir agitation. I have waited until, as it appeared to me, the hour had come when the call of duty summoned. That having come, I thought it but due in justice to every one concerned to speak in the plainest language, and we are met with a Motion that says that the question of the disestablishment and disendowment must be reserved for the decision of the new Parliament. Well, Sir, much shall I be surprised if the House of Commons adopts an Amendment such as this. That Amendment cannot be meant to show respect to the new Parliament; because it only does, and I think much less perfectly, that which will be effected by the Motion —namely, reserves the final handling of the question to the councils and deliberations of that Parliament. The very words of the Resolutions I propose contain a reference to the decision of the new Parliament. In that respect, therefore, the Motions are alike. But, again, perhaps, I may be told that if we are not going to legislate finally on the question it is not expedient to express an opinion on the question. Then, why are we invited to admit that "considerable modifications in the temporalities of the United Church in Ireland may, after the result of the present inquiry, be found expedient?" Why, I ask, is this House to be called on to give that opinion? The difference between us is this, the opinion I ask the House to express is an opinion no one can mistake, every one can understand. Who can understand what are these "considerable modifications?" What kind of modifications are they? Do they mean to carry the tithes of Connaught to the congregations of Dublin and Belfast? Do they mean to investigate the question of surpluses of capitular estates, and, after having competently provided to all eternity for Protestant rectors and curates, to hand over to those who are not Israelites the crumbs that fall from the table? Why go into the assertion of such vague generalities as these? But the noble Lord, I contend, shows no regard to the coming Parliament. I invite him to join with me, if he is anxious to show regard to that Parliament. I am trying to show regard for the coming Parliament by keeping out of its way all those embarrassments which, if these Resolutions are not adopted, will infallibly grow up. I certainly must say that the vested interests are a very great embarrassment. Why, it may be the duty of the Commissioners—for aught I know they may be erecting a new benefice of four Anglicans at this very moment. I so respect the judgment of the new Parliament that I will endeavour—so far as depends on me—to clear up the ground on which it is to enter. But it is said there is no end to these concessions—that a liberal policy has been long pursued—that it has not produced its natural fruits—that the Roman Catholics still continue dissatisfied, and that, instead of gratitude, we are met with fresh demands. Well. Sir, my answer is—as we have sown, so we reap. The method we have pursued, according to laws higher and deeper than any we can make, has produced the fruits that were inevitable, and that we ought to have foreseen. It is quite true that we have conceded. There has been, as I said before, a connection of 700 years. Almost the whole of that connection has consisted of a succession of storms—fierce and bitter storms—and uncertain, temporary calms. From time to time the Irish problem has been dealt with; but it never has been dealt with by removing the whole cause of dispute. For 100 years we have been moving at least in the same direction. In 1778 a great concession was made. In 1793 another onward stride was effected in the Parliament of Ireland. In 1800 the promises of Mr. Pitt for a moment gilded the sky of that island. In 1829 our Roman Catholic Colleagues in this House first took their seats among us, and obtained a substantial equality, which I rejoice to think was carried within the last year or two to its farthest limits by the removal of a useless and objectionable oath. But what have been the circumstances under which these changes have been made? Have they been freely made? Have they proceeded from our spontaneous bounty? Have they been drawn from us in our melting mood by our recollection of the woes and sufferings of Ireland? Sir, the dates, I am loth to say, speak for themselves. The first step was in 1778, when the prospects of the American war were growing more and more gloomy. The second was in 1793, when you began to be locked in a struggle of life and death with France. The third was in 1800, when that struggle, great and formidable as it was at all times, had assumed, perhaps, its very darkest and most desperate aspect. And the last was in 1829; you gave to the Roman Catholics seats in this House when the Minister who proposed the measure intimated to you, in terms distinct enough, that unless you were prepared for concession you must look for civil war in Ireland as the only alternative. And when we thus have written, inscribed, engraven upon our own acts the motives from which they have proceeded—when we have ourselves, by the time at which they were carried, taken care to characterize them as more properly the fruits of our fearful anticipations than of our generous bounty, can we be surprised that they have failed to elicit the abundant gratitude it seems we were to expect? I believe the laws of human nature have been too strong for us, and they ought to have enabled us to predict what has happened. Hence it has been that the proverb arose—England's difficulty was Ireland's opportunity, and that Mr. Grattan, speaking of the independence of the Irish Parliament, said—

> "The weakness of England made the strength of Ireland; for Ireland was saved when America was lost. When England conquered Ireland was coerced; when she was defeated, Ireland was relieved."

Now, at last, let us see whether it is in our power to make some amendment upon this most deplorable method of proceeding. I hope it is not too late. It is certainly not too soon. I have urged that there is a crisis in the affairs of Ireland; and I am answered that the crisis is one made and got up by me—as if I were like the mysterious person who in a theatre behind, or rather above, the scenes has custody of what are termed the thunder, lightning, and rain, to do with them as he pleases. Sir, that is not the character of the Irish crisis. Much depends upon this. Let us sift the questions to the bottom. We had a crisis in 1829. What followed? Certainly nothing like a complete measure, but still a measure of relief. But about fifteen years afterwards the attitude of Ireland again became formidable. Sir Robert Peel endeavoured to meet the exigency of the day by measures he proposed of a highly liberal character; one relating to the establishment of the Queen's Colleges, the other to the increase of the Grant to Maynooth — a Grant opposed by the right hon. Gentleman now the Prime Minister of the Crown, on the ground that Sir Robert Peel was a person totally unfit to make that proposal, since his policy up to that time had lain in a different direction. But it pleased providence to interpose and to check the currents of the political atmosphere by the tremendous visitation of the famine. That famine gave another turn to the minds and thoughts of men. But we have gone on, I am afraid less alive than we ought to have been to the real demands of Ireland. It has only been since the termination of the American war and the appearance of Fenianism that the mind of this country has been greatly turned to the consideration of Irish affairs; and it is in vain to attempt to preach in the wilderness, to anticipate conclusions at which the nation has not arrived, even though those conclusions may be recommended by forethought as well as justice. But what has been happening all this time? Has Ireland been in a stationary condition? I do not speak of its material condition. I speak of other causes. The discontent of the agricultural population has continued; and the virtual pledge given by public authority in the Report of the Earl of Devon's Commission, twenty-three years ago, has for all these years remained unredeemed. If millions of the Irish people have taken an acuter view of their own rights and wrongs than we may approve, and the cheap Press, which with myriad wings, we have sent among them, has stirred from time to time those breasts, that cheap Press, if causes of dissatisfaction had not existed, would only have attached all classes to the institutions of the country. It used to be said that steam had bridged the Channel—it has now bridged the Atlantic—steam now bridges the Atlantic — and the echoes of whatever dissatisfaction exists in Ireland come back to us over the waves of that wide ocean. These are fatal and enormous changes—they are changes preparatory and predisposing to the latest manifestation — the manifestation, I mean, of that Fenianism that has come into this country, which, and I say it upon the authority of the noble Earl, who stated the fact in words that cannot be forgotten, found existing in the hearts of the Irish people a great amount of dissatisfaction—we may almost say of disloyalty and of dislike to England and to the English rule, the small occupiers to a great extent sympathizing with it, and in several of the large towns in the South the population being deeply tainted with it, and ready to participate in it to any extent. And then, with these words falling from the mouth of his own Colleague, that Colleague being the responsible Minister for Ireland, the Prime Minister for the Crown denies that a crisis exists, and ridicules it as the creation of a fevered brain. I want to know what is the sign of a national crisis. To those who refuse to read it in the suspension of the Habeas Corpus Act, four times, I think, successively, what answer is it to say to us, "You yourselves proposed the suspension?" Certainly we did; but this is an act which grows not less, but more significant by repetition. Does the right hon. Gentleman suppose that when we asked the House of Commons to suspend the Habeas Corpus Act we were not aware that that suspension would draw after it political consequences? It was my duty on that occasion, to follow the powerful and impressive speech of the hon. Member for Birmingham (Mr. Bright), and what I said was—

> "I do not deny that we must persevere in legislation in the direction in which we have been engaged for some time, and which has already in a certain measure produced most satisfactory results. What I pleaded for was this, that we should provide for the exigencies of the day, for that is an absolute duty which cannot be deferred."

On all occasions when the suspension of the Habeas Corpus Act has been renewed the same course has been pursued, and no impediment has been thrown in the way of that proposal. Indeed, we found that the Government were almost ready to complain of those who now propose remedial measures that they did not oppose that suspension. My opinion is that the readiness and the cheerfulness—no, that is a bad word—the readiness and full conviction with which the House has acceded to the proposal is a true measure of the conviction that the House entertains that it must at the earliest possible moment address itself in earnest to the work of remedial legislation. What does the suspension of the Habeas Corpus Act mean? It means the giving up of the charter and Palladium of personal liberty in that country. And what are its accompaniments in Ireland? A police—which is virtually an armed force for purposes of repression—admirably discharging its duties, but not discharging the same duties that are discharged by the police of England and of Scotland. An army maintained in Ireland, unhappily not for the same purposes for which an army is maintained in England and in Scotland, but for purposes much more nearly approaching those which are most peculiar to some of the worst governed States of Europe. For my part, I know not what is worse than tranquillity purchased by the constant suspension of the Habeas Corpus Act, unless it be that last extremity of public calamity —civil war. This being the state of things, I for one, Sir, am not willing to wait. It appears to me that our responsibility is quite sufficient for having waited thus long, and that it befits us now to do all that the time will permit towards clearing our account with Ireland. I know there is a feeling in this matter which. I admit, it is difficult to get over. There are many who think that to lay hands upon the national Church Establishment of a country is a profane and unhallowed act. I respect that feeling. I sympathize with it. I sympathize with it while I think it my duty to overcome and repress it. But if it be an error it is an error entitled to respect. There is something in the idea of a national Establishment of religion, of a solemn appropriation of a part of the Commonwealth for conferring upon all who are ready to receive it what we know to be an inestimable benefit; of saving that portion of the inheritance from private selfishness, in order to extract from it, if we can, pure and unmixed advantages of the highest order for the population at large—there is something in this so attractive that it is an image that must always command the homage of the many. It is somewhat like the kingly ghost in *Hamlet*, of which one of the characters of Shakespeare says—

> "We do it wrong, being so majestical,
> To offer it the show of violence;
> For it is, as the air, invulnerable,
> And our vain blows malicious mockery."

But, Sir, this is to view a religious Establishment upon one side, only upon what I may call the etherial side. It has likewise a side of earth; and here I cannot do better than quote some lines written by the present Archbishop of Dublin at a time when his genius was devoted to the Muses. He said, in speaking of mankind—

> "We who did our lineage high
> Draw from beyond the starry sky,
> Are yet upon the other side
> To earth and to its dust allied."

And so the Church Establishment, regarded in its theory and in its aim, is beautiful and attractive. Yet what is it but an appropriation of public property, an appropriation of the fruits of labour and of skill to certain purposes, and unless those purposes be fulfilled that appropriation cannot be justified. Therefore, Sir, I cannot but feel that we must set aside fears which thrust themselves upon the imagination, and act upon the sober dictates of our judgment. I think it has been shown that the cause for action is strong—not for precipitate action, not for action beyond our powers; but for such action as the opportunities of the times and the condition of Parliament, if there be but a ready will, will amply and easily admit of. If I am asked as to my expectations of the issue of this struggle, I begin by frankly avowing that I, for one, would not have entered into it unless I believed that the final hour was about to sound.

> "Venit summa dies et ineluctabile fatum."

And I hope that the noble Lord will forgive me if I say that before Friday last I thought that the thread of the remaining life of the Irish Established Church was short, but that since Friday last, when at half-past four o'clock in the afternoon the noble Lord stood at that table, I have regarded it as being shorter still. The issue is not in our hands. What we had and have to do is to consider well and deeply before we take the first step in an engagement such as this; but having entered into the controversy, there and then to acquit ourselves like men, and to use every effort to remove what still remains of the scandals and calamities in the relations which exist between England and Ireland, and to make our best efforts at least to fill up with the cement of human concord the noble fabric of the British Empire.

Motion made, and Question proposed, "That this House will immediately resolve itself into a Committee to consider the said Acts."—(*Mr. Gladstone.*)

LORD STANLEY: Sir, I rise to move the Amendment of which I have given notice; and I can assure the House that I do so with a full sense of the gravity of the crisis which is impending, and with a desire quite as anxious as that of the right hon. Gentleman can be, that no trick, no contrivance, no ambiguity, shall interfere with the straightforward course of this debate, and that the ideas and intentions of Her Majesty's Government in objecting to the Resolutions of the right hon. Gentleman shall not be misconstrued or misunderstood, either here or out of doors. And I say that the more earnestly, because I think I see already that in the debate upon which we are about to enter, long as it inevitably must be, and impassioned as it probably will be—a debate in which party feeling must necessarily run high, and party prejudices be to some extent appealed to—every attempt will be made—I had almost said every art will be employed —to place upon a false issue the question we have to decide. Now, Sir, what are these Resolutions that are to be moved by the right hon. Gentleman? They have been repeatedly described out-of-doors, and I do not doubt we shall hear them described in this House, as Resolutions directly implying and involving the disendowment of the Irish Church. No doubt the speech of the right hon. Gentleman was calculated to impress that idea upon us. But when I look to the Resolutions, I find in them nothing of the kind. I they asserted the principle of disendowment, we should at least know not only what we are discussing, but, which is a different thing, what it is upon which we are about to vote. But nowhere have we been favoured with any such information. Let us examine these Resolutions and see what principles they really do involve; for I need not remind the House that it is not upon the speech of the right hon. Gentleman, but upon the Resolutions as they stand upon the Paper, that the Vote of this House is to be taken. My first objection, therefore, is that we are called upon to say "Aye" or "No" to a plan which is no plan at all—to give or to refuse an assent to a proposition which is not before us in any definite shape, and which twenty different people may interpret in twenty different ways. Now, Sir, the first and leading proposition of the right hon. Gentleman is that the Church of Ireland ought to cease to exist as an Established Church. Well, but what do you mean by an "Established Church?" It is not so easy to define the meaning of that phrase. Does it mean merely a Church whose endowments were originally derived from the State—that is one view of the question; of course, as everybody knows, a great controversy hangs upon that question, whether Church endowments can be said to be originally derived from the State; or does it mean, what is entirely different, a Church controlled and regulated in its administration and discipline by the State? These Resolutions are so general that I can perfectly well understand an ardent and zealous Protestant accepting the words of the first Resolution, and admitting the propositions it involves—admitting it upon the ground that the State had often interfered in what he would call an injurious manner with the Irish Church, had crippled its efficiency, had discouraged Protestant zeal, and had restrained the vehemence of its more ardent supporters. Such a man might say, and say with perfect consistency, as regards both the words and the spirit of these Resolutions—'Very well, we accept the terms which the right hon. Gentleman offers, but we put our own construction upon them. Let us, if that be your decision, cease to be a State Church; let us choose our own Bishops; let us make that not very important sacrifice of ceasing to send them to the House of Lords; let us choose our own officers, sever our connection with the State—only recollect that, in so doing, we claim to retain all the endowments. They are ours; the State has nothing to do with them. We will keep them, and our self-appointed governing body will do with them as it pleases." If any man chose to accept the Resolution of the right hon. Gentleman in that sense, I see nothing whatever in its words to prevent him; but I do not apprehend that an arrangement of that kind, which would leave the Church, not indeed the name of an Establishment, but all its wealth, with more power and more independence than it at present possesses, would exactly meet the views of those who support the Resolutions of the right hon. Gentleman. That it would not meet the views of the right hon. Gentleman himself we have had evidence enough in his own speech. Then, I say, in the first place, that these Resolutions tell us absolutely nothing as to what you mean to do with the funds of the Irish Church, and that is the real question at issue. And I say further, that the acceptance of them would be perfectly compatible with an arrangement which should do the very opposite of that which you are meaning and intending. Whether the wording was purposely arranged, so that those who do not accept the proposition of the right hon. Gentleman may vote for the Resolutions, or whether—which, considering how many eminent hands have been employed upon these words, I cannot think likely—it is matter of pure accident and oversight, I venture to say that it is preposterous to ask this House to affirm a proposition which is so worded and so framed that when you have carried it no two of those who have voted in its favour will agree the next morning as to the principles you have been asserting, or as to what is to be the consequence of its adoption. If this were merely matter of verbal criticism I might allude to it in passing; I should certainly do no more. But I think it goes a great deal deeper into the root of the matter than mere verbal criticism. Disestablishment is one thing, disendowment is another. It is conceivable that a Church might be disestablished, and yet might retain all its endowments. It is equally conceivable that a Church might retain the style and title of an Establishment, whatever that may amount to, and yet be so deprived of the bulk of its possessions as to be compelled to rely for its support in the main upon the voluntary principle; and my objection is, that while you profess to be laying down a principle which is to guide the nation in its dealings with the Irish Church, you are touching only a corner of the question—you are avoiding all notice of the real difficulties—you are disposing of what, in my view at least, is very little more than an empty title, and you do not say how the taking away of that title does or does not affect the succession to the estate which has hitherto gone with it. I may be told, "Look at the second and third Resolutions; see what provision is made for vacancies not being filled up by the Crown; what can that mean but disendowment?" My answer is, that the third Resolution, whatever its constitutional bearings may be—and there will be something to be said as to the legality of the course to be taken under it—leaves us just as much in the dark as the first, whether the House pledges itself to take away from the Church all its endowments, or half of them, or to leave them all as they are. The Resolutions are perfectly reconcilable with an arrangement which should leave the Church still endowed to the full amount, but relieved from State control; and they are equally reconcilable with the adoption of the purely voluntary system, or with a proposal for the division of the endowments between different religious bodies. They do, indeed, show that you contemplate the probability of Parliament doing something with these endowments; that you contemplate some legislation that shall affect them; but what that legislation shall be, by what principles it is to be guided, or what direction it is to take, we know no more than we knew before. No doubt the right hon. Gentleman has done something in his statement to-night to supply the deficiency of the proposition which he has laid on the table. But that affords me still more reasonable ground of objection, because I want to know upon which of two questions we are to vote. Is it upon the specific plan the right hon. Gentleman puts forward in his speech, but does not bring forward in the form of a Resolution; or is it upon those general and vague Resolutions, which no doubt include the plan of the right hon. Gentleman, but which I have endeavoured to show would equally include a great many other schemes entirely different from it? I cannot consider this as a light or immaterial objection, because it seems to me that the real question which the next Parliament will have to consider will not be whether anything ought to be done as regards the Irish Church, but what the particular thing to be done shall be. Probably there is not one educated person in a hundred who will stand up and pretend that the Irish ecclesiastical arrangements as they exist are of altogether a satisfactory kind. I certainly am not that one. If we had thought so, or if the House had thought so, what would have been the meaning—what would have been the use of that Commission which is now inquiring into the whole subject, appointed as it was with the full concurrence of both the present and the late Governments? But the real perplexity of the question, and that which during thirty years has rendered Parliament so unwilling to touch it, is this: If you alter in any way the present application of the endowments, what do you mean to do with them? And I say that we have a right to call upon those who invite us to approach what is undoubtedly the most difficult and perhaps the most dangerous question of our time, who invite us not only to discuss it, but to pledge ourselves to early action upon it—we have a right, I think, to ask them to say whether they or anybody else will undertake to produce for the consideration of Parliament a solution of that question which Parliament and the public will accept. Just look at the number of plans which you have had either now or quite lately brought forward. First comes the plan recommended by the names of gentlemen eminent in their line, the plan of which, I suppose I may say, Mr. Miall and Mr. Newman Hall are the principal champions—the plan that is of absolute and entire disendowment. These gentlemen are, I will not say denouncing, but they are, I see by the newspapers, expostulating with even the hon. Member for Birmingham (Mr. Bright) because he hesitated, and I thought very wisely, to go that full length. I do not know how numerous the supporters of that idea may be, but undoubtedly they have the advantage which the partizans of extreme ideas always possess, that of a logically strong and consistent position. Next in order is the plan lately propounded by the hon. Member for Birmingham. His idea, if I understand it rightly, was to take the Church property of all kinds, to assign a certain share to each religious denomination that would take it, and to turn over the bulk of the remainder to secular uses. Thirdly, comes Lord Russell with a scheme, which he also put forward in a pamphlet, published not more than six weeks ago— a scheme which, as I understand it, does not contemplate the appropriation of Church endowments to secular uses, but proposes to divide those endowments among all denominations in the ratio of their numbers. Fourthly, you have the old appropriation scheme of thirty-three years ago—a scheme which rested upon this basis:—Provide first for the reasonable wants of the Irish Protestant population, and then apply whatever surplus may be left, either to education or to making such provision for the Roman Catholics as they may be inclined to accept. Then we have the proposal sketched out by the right hon. Gentleman, which has been too recently laid before the House to admit of discussion at this moment; and lastly comes an idea which finds great favour, I believe, among a portion of Irish Churchmen, although I am bound to say I do not think it is one that a reformed Parliament is likely to adopt — the scheme, I mean, of leaving untouched the Protestant endowments as a whole, but re-distributing them so as to get rid of the scandal which everybody admits to exist—of sinecure livings and empty churches. You have thus five, not to say six, projects at least, all of them differing in essential principles, each of them irreconcilable with all the rest, all of them supported probably by a respectable minority in the country; and that is the chaos in which the right hon. Gentleman asks us to plunge at a day's notice, when, whatever else public opinion may have decided, it is perfectly clear that it does not see its way as to which of any of these schemes it intends to adopt. Well, then, Sir, I think I have shown that the Resolutions before us come to very little more than this: that in the opinion of the House it is expedient that something or other should be done affecting the Irish Church; but that, at present, the movers of the Resolutions do not ask us to say in express terms what that something shall be. That does not seem to be a very practical conclusion, but that is not all. Suppose you carry your Motion. Suppose you go into Committee, and being in Committee you pass your Resolutions. Well, I should ask in the words on the title-page of one of Mr. Cobden's pamphlets, "What next, and next?" What do you mean to do with your Resolutions when you have got them? You do not intend to legislate this year. The right hon. Gentleman said as much.

MR. GLADSTONE: That there may be no misunderstanding, I would explain, if the noble Lord will permit me, that what I disclaimed was final legislation. What I recommended, and what would be required by the spirit of the second and third Resolutions would be legislation to prevent the growth of new interests.

LORD STANLEY: That is not legislation in the sense I mean. You do not intend to ask us to legislate so as to dispose of the question. But if the right hon. Gentleman had given me a different answer my case would have been just as strong, because the reply would obviously have suggested itself, "If you have a plan, why do not you embody it in a Bill, and place that Bill before us, instead of proposing Resolutions?" But you say, "No, we cannot legislate this year, but we pledge the House." Whom do you pledge, and to what? If you meant to pledge this House to legislation on the question, there would be something in that; and, though it might be rash to give a promise as to action in a future Session, still the importance of the subject and the excitement of the public mind would perhaps justify such a step. But we stand in a very peculiar position. We all know that after the legislative changes of last year, it is simply impossible, according to all constitutional rule, that the present Parliament can continue in existence any longer than is necessary to complete the arrangements for creating new voters. You therefore—the present Parliament—will never have this question to deal with. It must be dealt with in a new Parliament, and that Parliament elected by a new and greatly increased constituency. What power have you over them? How can you give a pledge in their names? Either they will agree with your views or differ from them; that is one of the very few propositions not disputed even in an Irish debate. But if they do agree with you, what you propose to do within the next twelve months would simply prevent the filling up of one or two livings. You are, in fact, in that view of the case, advocating a superfluous measure, designed to secure an insignificant end. If you expect them to differ from you, then I do not see what you gain by placing on record what, on that hypothesis, is a mere protest by anticipation in favour of views which you cannot enforce. My opinion may be prejudiced, perhaps singular, but I hold that the Parliament of England is not a debating club; and that it is not its business to lay down general and vague propositions where it is impossible that action should follow. I have heard it said, "It is true this is a dying Parliament, but a dying man may make a will;" my answer is, certainly, but he can only bequeath what belongs to him, and, I say it with all respect, the legislation of the future is not within your competence to dispose of. The right hon. Gentleman claims a right precisely similar to that often set up by an Irish tenant-at-will, who bequeaths to some member of his family the farm, over which he has not the slightest legal right. Well, seeing how obvious these considerations are, and that they cannot have escaped the notice of eminent politicians, I should have felt some surprise at the Resolutions being brought forward—some perplexity as to the motive and meaning of the Liberal party, if it had not been for a pamphlet which Earl Russell, the head of the great Liberal party, has most opportunely published — the same pamphlet, by the way, in which that eminent Parliamentary Leader has not thought it inconsistent with courtesy to describe his political opponents by comparisons derived from the brute creation. Earl Russell comments on a speech of mine, in which I said what I say now, and his criticism is as follows:—

> "If the question is postponed till next year, the Tory party, whether forming a majority or a strong minority in the new House of Commons, may come from their elections so invigorated by hustings' speeches, and so intoxicated by the old Tory policy of Lord Eldon, as to refuse to their Leaders any reduction of the Irish Church Establishment."

Now, I think that passage quite perfect in its way. In the first place, it is a good measure of the faith which a Liberal Leader feels in the triumph of Liberal principles when they are to be submitted to the judgment of the people. If the poorer class of voters in the new constituency are really so open, in Earl Russell's opinion, to what he would call prejudice or fanaticism, I should have thought it was hardly worth while for one who held that opinion to pass the greater part of his political life in unceasing Parliamentary efforts to obtain the right of voting for them. But, in the next place, I admire the political morality of the doctrine implied. "If we really appeal to the people," says Earl Russell, "there is every chance of their deciding against us. Therefore, don't let us run any risk; let us make all safe now. Let us do the thing in their name at once, and take care they are never consulted about it." But, looking at the matter from a different point of view, I should like to know what is the practical result which you expect to obtain—what is the danger which you desire to avert, by forcing through this Resolution, on which you cannot act, and to the displacement of other business hardly less important, and certainly more urgent in point of time? Do you think the new Parliament unfit to deal with it? Constitutionally and consistently you cannot hold that language. Are you really afraid that the new Parliament will neglect or ignore the question of the Irish Church? No man will rise here, and, with a grave face, express that apprehension. The House knows perfectly well that under any circumstances, with any Government in power, it must be one of the first questions—probably the very first—which will attract notice from the House of Commons of 1869. Then, what is it you fear? Can it be that the apprehension entertained on that Bench is not that nothing will be done, but that something will be done—that opinion will declare itself in the constituencies—that the necessity of action will be felt—that the Legislature will take the work into its own hands, and that Liberal Leaders, if they do not pre-occupy the ground now, will not be able to claim the initiative on which they rely for their popularity and power? If so, I cannot deny that they have good personal and party reasons for what they are doing; but it is a little hard that all the business of the Session should be interrupted, not to forward a public object, but to furnish the Liberal party with an election cry—that of Reform having ceased to be available. I will not say the course taken is unprecedented; we have not forgotten the Appropriation Clause—which is not exactly the brightest page of Whig history—and some may remember the Resolution of June, 1859, framed by the same experienced hand, and which ended, no doubt, in a transfer of power, but ended, also, in shelving the Reform question effectually for the next seven years. Are you quite sure that these two precedents are desirable ones to follow, or that a repetition of them will form the most dignified and desirable conclusion for the Parliamentary system of 1832? I am never fond of dealing with personal topics, and I do not mean to inquire how far the language and conduct of those who put forward these Resolutions are in accordance with their speeches and policy when they were charged—as for the greater part of the last generation they have been—with the responsibilities of power. I give the right hon. Gentleman the full benefit of his personal defence, though I do not think, by the way, that defence quite covered the case of some speeches which I have heard delivered from this spot by those who held office with him—notably one, that of the right hon. Member for Morpeth (Sir George Grey) no longer ago than 1865, to which I suppose the right hon. Gentleman assented—at least, he did not dissent from it. I admit that in these days events move rapidly, and that in such matters we all have to make allowances for one another. But I do say that when a change of policy is conscientiously adopted—that there has been a change no one can deny, and I certainly will not say it is not conscientious—it ought, if only as a matter of prudence, not to assume a shape in which, by outside observers, it is likely to be confounded with an electioneering manœuvre. For thirty years Gentlemen opposite have had this question before them; and what have they done, or attempted to do, during that time? By their own confession, they have done absolutely nothing at all. I do not blame them for that. If they thought it best not to touch this question, they had a perfect right to abstain from doing so. But it is a little singular that now, being no longer in power, they cannot even wait for their own Commission to report—(for it was at the instance of Earl Russell that the Commission now sitting with regard to the Established Church in Ireland was appointed)—that they cannot even allow the most necessary business of the Session to be transacted, so great is their zeal to pass, without an hour's delay, a Motion on which by no possibility, even if they can agree as to what it means, can they act until next year. Sir, I think the country will form its own judgment on all this. And if the right hon. Gentleman repeats on the hustings the phrase which he uttered in his most emphatic tones the other night, "Justice delayed is justice denied," I think he will find among the crowd some one with common sense enough to ask, "If this be justice, by whom has it been delayed? You have had the power in your own hands for twenty-five years, why did not you do justice?" But then it is said, "The passing of these resolutions will be a message of peace to Ireland?" Will it be a message of peace to the North of Ireland? Do not let me be mistaken. I am not arguing that you are not to do what you think just and right—that you are not to follow your own conscience and conviction, whether by so doing you satisfy or dissatisfy either North or South, or both, though as to the time and manner of even doing acts of justice considerations of policy may intervene. But if you put what you are doing on the ground of conciliation, I think it only fair to ask you to look at both sides. You have in Ireland 1,500,000 of Protestants, Presbyterians, and members of the Established Church, all, I apprehend, feeling alike on this matter. They may have their faults; but with all their faults they are by far the most energetic and active part of the Irish population. These Resolutions have undoubtedly come upon them by surprise; and if they pass I am afraid you will have created in their minds a feeling of rage and resentment that will go among many of them, in a country where passion runs high, very near to disaffection. Will you have conciliated the Catholic peasantry? I am not here to put forward any plea which I do not believe to be sound, and I admit that these Resolutions, or rather what is meant to be conveyed by these Resolutions, will find favour among the Catholic peasantry to a certain extent. But do not imagine that you can conciliate and satisfy the Catholic peasantry of Ireland by dealing with this Church question alone. The first question with them is the land question, and the land question, in the mind of a Celtic peasant, means something very different. Behind the question of the Church is the land question. Behind the land question, again, is the education question, on which your allies of to-day will be your most determined opponents to-morrow; and behind them all lies a difficulty more grave and permanent than any—a difficulty felt at this moment in almost every civilized country in Europe—the difficulty of reconciling the modern, the Protestant, and liberal (using that word not in any party sense) idea of administrative and social arrangements with the totally different notions of both which are held by a devotedly Catholic community under the influence and guidance of its clergy. This, I know, is touching upon delicate ground, and I am the more anxious not to let my argument be warped to a purpose to which I do not apply it. I repeat, do by all means that which you think right and just. Only guard yourselves against that common and tempting fallacy of believing that certain political consequences will follow from what you are doing, merely because from your point of view you think it right and just that they should. I do not propose to go at this time into the question of what I individually think ought to be done in the matter of the Irish Church. There will be plenty of opportunities for that. And it is not a question upon which anyone would wish to speak unadvisedly or impulsively. But I have seen and heard, and with extreme surprise, some criticisms on the Amendment which it is impossible for me to leave without answer. The right hon. Gentleman in the course of his remarks has called it "dilatory." Other critics out-of-doors have called it "disingenuous." How it can be dilatory I do not know; for I have endeavoured to give the House the earliest opportunity of voting "Aye" or "No" upon these Resolutions. How it is disingenuous I am still more puzzled to conceive; for I do not know what plain speaking is if it be not found in the words which I have put upon the Notice Paper. We affirm two propositions—one of which I conceive to require no proof—namely, that some modification, be it what it may, in the *status* of the Irish Church Establishment is to all appearance inevitable; the other, that for which I have been arguing, that the question is one for a future and not for the present Parliament to settle. With regard to the verbal criticism expended upon the Amendment, I should be quite prepared to defend my own English, if it were worth while occupying the time of this House in so doing. But, whatever verbal criticism you may pass upon the earlier portion of the Amendment—striking out of consideration, if you will, the first clause—it does not affect my argument. We are all free to form our own judgment as to what will, or may, or ought to happen in the future; but the practical proposition remains, and it is on that that the Vote of the House will be taken. We deny the expediency of dealing, or rather of attempting to deal, with the question which you bring before us in the present Parliament. Then it is asked, "Why not meet the Motion by a direct negative, or by the Previous Question?" Simply for this reason: either one or the other of those courses would imply, or might possibly be considered as implying, that we objected to this question being dealt with at all, in any form or at any time. And that is a misconstruction against which we reasonably desire to guard. We say that the work of the Session is quite sufficient for the Session. Whenever action shall appear to us necessary and possible we shall be ready to tell you how we are prepared to act. But our case is that at present action is neither necessary nor possible; and that being so, we will not by premature propositions or vague assertions of opinion fetter our own discretion in the future, or interfere with the judgment of a reformed House of Commons. That is our position, which we submit with full confidence both to the judgment of the House and of the country.

Amendment proposed,

To leave out from the word "House" to the end of the Question, in order to add the words "while admitting that considerable modifications in the temporalities of the United Church in Ireland may, after the pending inquiry, appear to be expedient, is of opinion that any proposition tending to the disestablishment or disendowment of that Church ought to be reserved for the decision of a new Parliament,"—(*Lord Stanley,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. E. A. LEATHAM said: I approach the consideration of this great branch of the question of Ireland, especially in its relation to Irish disaffection, with great diffidence and without the high hopes of political consequences which appear to actuate some. Do what we will, establish or disestablish what we please, endow or disendow what we may, I fear that the youngest Member of this House will never live to see Ireland what she might have been if our ancestors in their dealings with her people had not read backwards every precept of Christianity and every postulate of policy. But, by the magnitude of the wrongs which Ireland has sustained in the past, we are able to measure the strides which we have already made in the direction of restitution and right. It is true that we have taken nearly a century in learning to be just; but what is there in the condition of Ireland now to excite disaffection compared with the state of things less than a century ago? Then no Irish Catholic could inherit a single acre of land, discharge the humblest and simplest duties of the political citizen, fill any office of emolument or trust, exercise a single liberal profession, teach a child. Irish manufactures were shut out of this country by law, and, from one end of Ireland to the other, tithe was exacted by force of arms and with perpetual shedding of blood. Now, to say, as has been said, that the feeling against us in Ireland is as intense as ever it was seems to me not only to fly in the face of fact, but to utter a positive satire upon all that has been done. For if, after all these ameliorations, there is no amelioration in the fierceness of her attitude towards us, then, taking for granted as we must that the bond between the two countries is indissoluble, the question which will present itself to some minds is not whether we have done enough but whether we have not done too much, whether we have not loosened our grip without tightening our embrace. But, Sir, they are not the best friends of Ireland who propagate these exaggerations. As injustice has abated so, too, has abated the sense of injustice. With the sense of injustice have abated the force and courage of sedition. Will anyone compare the vagaries of Fenianism with the outbreaks of former times? So long as you have two rival races and two hostile creeds face to face—so long as you have bitter memories on the one side and an arrogant assumption of superiority, backed by law, upon the other, so long will you have precisely that atmosphere in which disaffection delights to breed; but in proportion as you remove inequalities—in proportion as you do away with any unfair advantage which one race or one creed enjoys to the detriment of the other, depend upon it you will strengthen that love of order which is an instinct in the whole human family, and which becomes a powerful and prevailing instinct in proportion as laws are just, and men are active, prosperous, and free. What, then, is the class of measures to which we ought to trust in attempting to deal by legislative enactment with Irish discontent? Not, I think, to those whose authors profess to cure everything by a single stroke, nor yet to those whose aim is merely to tide over the crisis of the moment, but to measures which, while they are gradual in their operation, are at the same time safe and sure. We must purify the air—we must give free play to the healing force of nature — we must remove those conditions which are the perpetual source of mischief. Is it not simple folly to hope for lasting tranquillity in Ireland while we leave standing in every parish a staring monument of everything which it is essential should be forgotten? The Irish Catholic can scarcely leave his own door without breaking his shins—I beg pardon for the homeliness of the phrase—over an institution which reminds him at every turn that he belongs to a subjugated race, and, moreover, one which is still made to wear a portion of its fetters in public. The existence of the Irish Church—the Church of a pitiful minority, regarded with hostility by the great bulk of the population, but fed publicly and ostentatiously from the proceeds of their industry—the existence of a Church alien — this is not my epithet — parasitical, scandalous, yet still supreme, gives the lie to those who say we have abolished the inequality of race, and we have effaced the brand of conquest. It is impossible to take another step forward in the way of pacification while you leave this lion of Protestant ascendancy still in the path. But, Sir, if these inequalities are to be redressed, in what spirit are they to be redressed? I listened with the greatest possible pleasure to what fell from the right hon. Gentleman in this relation, for it is not in the spirit of a conqueror that we must proceed to exorcise the spirit of conquest. The fall must come, but let it be broken by every means in our power. But, Sir, the case is not to be met by a partition of revenues. You may joint-stock a private firm. You cannot joint-stock a National Church. For what is the fundamental notion of a National Church? Is it not an assumption of orthodoxy patented and guaranteed by the State? But you cannot have half-a-dozen true faiths. And if this principle be sanctioned in Ireland, what is to prevent a general scramble for the revenues of the Church of England?—and when that scramble takes place who can consistently withhold his share from Mormon? Now, Sir, let me say a few words with reference to the arguments which are adduced on behalf of the Irish Establishment. We are told that it is a corporate body, and that it has inherited its property from another corporate body — the Roman Catholic Church—and that, therefore, that property must not be disturbed. But putting on one side the fact that there has been a formidable break in the succession, it may, I think, be matter of doubt whether the Irish Church has a right to the full privileges of a corporate body, because there must have been an original and vital flaw in the constitution of a National Church which has never been able to identify itself with the nation. But even if we grant the existence of these privileges, we have still excellent authority for disendowment. What does Archbishop Whately say upon this point? "I freely acknowledge," he says—

> "That the State has a right to take away the property of all or any of these corporations—indemnifying, of course, those individuals actually enjoying the revenue—whenever the manifest inutility or hurtfulness of the institutions renders their abolition important to the public welfare"—

circumstances which we maintain have actually arisen. But it is contended that if we disendow the Irish Church, we shall have established a fatal precedent against the endowment of the Church of England. I deny the parallelism of the two cases. Place the Church of England in the same position in relation to the mass of the population in England as that which is occupied by the Church of Ireland in relation to the population there—and does any one believe that the Church of England, in the face of the wide and free suffrage which you have given to the people, could endure for a single Session of Parliament? But the Church of Ireland is a Missionary Church, and therefore it is to be protected. Now, you have other Protestant Churches in Ireland which are Missionary Churches. but which are not established by the State, There are nearly 200 parishes in Ireland in which there is not a single Churchman —but in how many parishes does the House suppose that the Church of Ireland has gained a footing since the year 1834? In five. What have the other Protestant Churches been doing? The Presbyterians have gained during the same period a footing in 623 parishes, and "other Dissenters" in 526. So much for the efforts of this Missionary Church. Now, before this debate commenced two hon. Gentlemen opposite proceeded to knock us down with the 5th Article of the Act of Union and the Coronation Oath. I listened attentively to the 5th Article, but I failed to hear a single word about temporalities. And if I had, surely the Legislature is competent to undo what it has done. As regards the Coronation Oath, it is difficult to reply to the objection with gravity. Perhaps it is better to do so in the words of Archbishop Whately, who, when it was raised in his presence, is reported to have said, "Why this would give us four Estates of the Realm — King, Lords, Commons, and Oath." Material changes have been made in the Constitution since the Sovereign's accession. To these changes Her Majesty has been graciously pleased to give her Assent, but no one accuses Her Majesty of violating her Coronation Oath. There is one more argument which has been raised in these debates with which I will attempt to deal. It has been said that if we disendow the Irish Church, we shall cause the withdrawal from all parts of the country of a number of useful and amiable gentlemen who at present hold benefices. Hon. Gentlemen treat the Church as though she were a society for the diffusion of useful and amiable gentlemen. But who is proposing that these useful and amiable gentlemen should leave their posts? Are we to suppose that the moment State aid is withdrawn the Church of Ireland will collapse like a punctured wind-bag? Is this what is meant by the force of Protestantism in Ireland? Is this the result of 300 years' petting and coddling by the State? Now, in the course of these remarks, I have said nothing about the abuses which — I will not say have crept into the Irish Church, but marched into it with head erect. I have avoided all such reference for two reasons — first, because any such allusion is calculated to embitter this controversy; and secondly, because any such allusion is altogether beside the mark. For it is not the pruning knife that we are asking for, it is the axe; it is not reform, but disendowment. But let me say a few words before I sit down with reference to the arguments of the noble Lord. The noble Lord (Lord Stanley) tells us that he cannot understand these Resolutions, and that the right hon. Gentleman (Mr. Gladstone) has left him in the dark. I imagine that the noble Lord is the only man in this House who, reading the Resolutions together with the commentary of the right hon. Gentleman has not had his eyes opened. But the noble Lord objects that the Resolutions contain no definite plan for the disposal of the revenues of the Irish Church, and therefore refuses to listen to them. But the right hon. Gentleman has told us how he would dispose of at least two-thirds of those revenues. Then the noble Lord proceeded to argue that this Parliament was incompetent to deal with this question at all. Do not let us pronounce so harsh a judgment against ourselves. This Parliament has been thought competent to deal with the most vital and most difficult question that can come before any Parliament; and it has dealt with it in such a manner as to excite the liveliest satisfaction in the bosom of the right hon. Gentleman the First Lord of the Treasury, and of the jubilant party which he instructs. But the noble Lord says that we are about to die. Do not let the serenity of the closing scene be disturbed by distressing importunities. Let us eat and drink, for tomorrow we die. But I have always understood that it was precisely upon their death-beds that people were brought to a due sense of their responsibilities. "But," says the noble Lord, "we have made our wills; we have handed over everything to our successors." Can hon. Gentlemen opposite entirely trust their successors? What in all probability will be the character of the Parliament which follows this? Will it be distinguished by the qualities which grace the Benches opposite? Will it be a peculiarly cautious Parliament, full of reverence for the past and of anxiety about the future? or will it be a Parliament of buoyant hopes—a Parliament which walks by faith rather than by sight? But, is this exactly the kind of Parliament to which to entrust a question requiring great delicacy of touch, a nice regard for the rights of vested interests, a gentle handling of prejudices, and of those better and nobler predilections which, if they belong to the family of prejudice at all, are at least its most reputable members? I am quite of the noble Lord's opinion that the new Parliament will be prepared to deal with this question, and to deal with it resolutely. But will it deal with it kindly—will it deal with it as we are dealing with it—without passion? The hand which you have enfranchised is vigorous and strong. It will soon be skilful; but, of necessity, it comes, comparatively speaking, raw to its work. The new Parliament must be, in one sense, a 'prentice Parliament, and it is not to a 'prentice Parliament that we ought, in our indolence, to leave arrears of work — and work, too, which will tax to the uttermost the skill and experience of statesmen. Yet it cannot be contended that any decision which we may arrive at now will be flagrantly at variance with the wishes of those who follow us. The policy of the new Parliament is already casting its shadow over us. We have caught its tone without as yet catching what the noble Lord would perhaps call its temerity. In us the caution of the past and the courage of the future seem for the moment to join hands. Surely this is a great opportunity. "But," says the noble Lord, "You are not going to legislate." No, but we are going to lay down the landmarks which will limit future legislation. We are proposing to establish these three principles —disestablishment, disendowment — but disestablishment and disendowment in the gentlest, fairest, most indulgent way. And what is the alternative if you reject these Resolutions? A year's fierce agitation in Ireland. A year's angry recrimination in England. A year's passion. One would have thought that hon. Gentlemen opposite had had enough of popular agitation. Two years ago another great question occupied exactly the same position as that which is now occupied by this. You treated that question as you are treating this. You met argument and entreaty then as you are meeting them now, not in the old manly Tory fashion, but by equivoque. And what did it all end in? A leap in the dark! The right hon. Gentleman is already preparing to take another leap in the dark. Mark how punctiliously he follows the precedents of last year! You had a perpetual change of front then; you have had a perpetual change of front now. You had a fierce blast of the trumpet then; you have had it now. Will the education of hon. Gentlemen opposite never come to a close?

Mr. O'NEILL said, he did not know why the Irish Church should be subject to such severe attacks as had lately been directed against her from various quarters. Somewhat similar attacks were made in 1834, but she survived those attacks; she remained the Established Church of the country, notwithstanding them. Had her position changed so as to make her justly the subject of severe attack now? Her position had certainly changed since 1834; but he would tell the House in what manner. From 1834 to 1861 the population of Ireland had decreased; but relatively the Roman Catholics had decreased and the Protestants had increased; and, of all the Protestant denominations in Ireland, the Established Church had increased the most. During the same period the Irish Church had been dealt with severely by legislation. In 1838, one-fourth of her tithes had been given to the landlords; and in 1854, she lost £12,500, ministers' money. She had lost over £240,000 since 1834. But while the Church had been losing a portion of her revenues, she had increased in efficiency. Since 1826, the number of her clergy had increased by 195, of her churches by 387, and of her glebe-houses by 210. Then as to the missionary character of the Church. She had increased her labours among the Roman Catholic population. The late Bishop of Tuam had furnished statistics to show how the number of congregations and that of churches had increased in the district of West Connaught within the last twenty-five years. During that time the number of churches there had risen from 7 to 27, that of congregations from 13 to 57, and of clergy from 11 to 35; and, in a very interesting letter to *The Times*, the Archbishop of Dublin bore testimony to the missionary work in the West of Ireland. In a Charge delivered by the late Bishop of Derry in 1866, the allegation that the Church Establishment was felt by the Roman Catholic population as a badge of servitude was ably met. The Bishop said—

> "Who desires its destruction? Not, surely, the great mass of the people belonging to the Roman Catholic communion—shopkeepers, small farmers, and labourers—who live in peace and harmony with their Protestant neighbours, and who recognize the Church clergyman, if not as their pastor, at least as their friend and neighbour, living among them, and expending at home, not only his Church income, but usually more or less of his private income also—ever ready to help them all with advice and assistance."

It had been said that the Irish Church was a "grievous wrong," a "crying injustice," a "badge of conquest." He presumed that the alleged injustice consisted in the enjoyment of glebe lands and tithe rent-charge by the Established Church. Now, with regard to the glebe lands, many of them were given to the clergy by the native princes and landowners when Ireland was an independent country; while those in Ulster were granted at the time of the plantation of that province in the reign of James I. Those lands, moreover, were confirmed to the Church by the Act of Settlement, the same statute which confirmed to Roman Catholic proprietors lands which they or their ancestors had forfeited. The title of the Church to its property was therefore as good as that of any landed proprietor, resting as it did on a prescription of some three centuries, and it would surely be a great injustice to confiscate it. As to tithe, this was of the nature of a reserved rent, belonging neither to the occupier nor the landlord; and it was one of those charges which the landlord and tenant were bound to pay—although they might not approve the purposes to which they were applied—since they had come, the one into possession of his estate, the other into the occupation of the land, on the express or implied condition of bearing those obligations. In the North of Ireland, too, land in the country districts did not yield on an average a rental of more than 20*s.* per acre, and the tithe charge was of course proportionately small. It was true that the Established Church occupied a more favourable position than other communions, her clergy being paid, while the clergy of other bodies were not so to any great extent; but if the principle on which we acted in England and Scotland were a sound one, that the State was bound to provide for the religious teaching of its subjects—a pure and scriptural form of religious worship, free of cost—he could not see why the Irish Establishment should be abolished, especially as such a step would be a flagrant breach of the Act of the Union, which provided that—

> "The continuance and preservation of the said United Church as the Established Church of England and Ireland shall be deemed and taken to be an essential and fundamental part of the Union."

It would also be a violation of the pledge contained in the Emancipation Act of 1829. The Resolution passed on the 6th of March in that year, and without which the Emancipation Act could not have been carried, provided—

> "For the full and permanent security of the Establishments in Church and State; for the maintenance of the Reformed Religion, established by Law, and of the rights and privileges of the Bishops and of the Clergy of this Realm, and of the Churches committed to their charge."

In fact, as Dr. Lee had well put it, in the event of the Irish Establishment being done away—

> "The Act of Union in its most fundamental article would have to be repealed, much of the Act of Settlement cancelled, and the spirit of the Roman Catholic Emancipation Act of 1829 openly violated: the Constitution will have received the most violent shock it has sustained since the Reformation. Let every English citizen count the cost before he embarks on this perilous crusade."

And here he must express his acknowledgments to those whose writings he had consulted on this subject; and especially to the Rev. Dr. Lee, from whose able publications he had derived much valuable assistance. Then let the House reflect what would be the social consequences of this proposal. Political and religious feelings were perhaps the strongest which agitated men's minds, even when they acted separately, as in England they generally did. In Ireland, however, unhappily, they very often acted together, and each one was strengthened and intensified by the other. On the one side there would be an excitable Celtic population, who did not regard the Established Church as a grievance except as far as they were led to do so by persons who objected to all State Churches; but who, if public opinion in Ireland were excited on this question, would no doubt enter into the matter with all their native ardour; while on the other side would be an influential portion of the community who, while anxious to live on friendly terms with those of a different faith, yet believed that the solemn pledges given by Parliament constituted their Church's property secure to them and their descendants, and would be prepared to use every constitutional means in defence of the property of their Church. If the political and religious feelings of these two parties were brought into conflict, the agitation would neutralize much of the harmonizing effect of the beneficent legislation of the last half century. And lastly, Ireland being an integral part of the kingdom of Britain, it was for the welfare and happiness of her people that they should participate closely in all that is intimately connected with the British Constitution. If the Church of Ireland were disestablished, on the ground that it was not the Church of the majority, consistency would require the application of the same principle to Wales, and it might next be put in operation in Scotland, since in some parishes the majority of the inhabitants were not connected with the Establishment. [Mr. HADFIELD: Hear!] The hon. Member for Sheffield agreed in that view, and was prepared to apply the principle of disestablishment universally; but he could not believe that the House would rashly commit itself to so vital a change in our Constitution. The principal ground, however, on which he defended the Irish Church was that it was the ancient Catholic Church of the land; that it existed 700 years before the English set foot in the country, and before the supremacy of the Pope was acknowledged; and that its apostolic doctrine was the same as that which was taught by St. Patrick, and which was re-asserted and restored at the Reformation.

MR. POLLARD-URQUHART said, that the hon. Gentleman who had last spoken, referring to the relative numbers of Protestants and Catholics in Ireland in 1861 and 1834, had stated that the proportion of Protestants had slightly increased. It was true that the proportion had increased, but only slightly; in spite of the severe sufferings of the people from famine and plague and the large emigration which had greatly thinned the Catholic population. The hon. Gentleman had argued for the maintenance of the Established Church in Ireland on the ground of its missionary character. But, if it was a missionary Church, that was a reason why it should no longer be retained as a State Church. He knew nothing more irritating to the feelings of the Roman Catholic population of Ireland than that a Church should be paid and maintained by the State for the purpose of converting them from what they believed to be the only true religion. As long as an Established Church was retained in Ireland on these principles it would be a constant source of hatred to England, and would keep up the desire of getting rid of English misrule. The hon. Gentleman had alluded to the increasing efforts that were made by the Protestants of Ireland. Well, he rejoiced that there was vitality enough still left among them to support their Church under any circumstances, and for that reason he hoped every sincere Protestant would give his support to the Motion of the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone). He could not help thinking that the two great debates of this Session—the one on the Motion of the hon. Member for Cork (Mr. Maguire), and the other now in progress must afford matter of astonishment to all our contemporaries who looked on at a distance, as they would also to our posterity when they came to view these things in a calm spirit. What was the reason that Englishmen had succeeded in the government of a colony which they had taken from France more than 100 years ago—indeed, had succeeded so well that the only difficulty would be in persuading that colony to set up for itself? What was the reason that they had succeeded so well in governing a vast tract of territory situated at the other side of the globe, and that they had failed in the case of Ireland, a country scarcely separated from Great Britain, and this after so many centuries of conquest, and after a legislative union nearly three-quarters of a century ago? There were simple people who said it was because they had attempted to maintain a State Church there, and to force, by more or less partial laws, a distasteful religion upon the people. He regretted the circumstances under which Parliament had been brought to think seriously about this matter. It had been remarked that the Penal Laws had been relaxed under the fear of Paul Jones and the American privateers; the Emancipation Act passed when the Duke of Wellington himself stood appalled at the prospect of a civil war; and that the miserable Maynooth Grant had been thrown as a sop to the people of Ireland, when, as Mr. Macaulay said, Mr. O'Connell and President Polk had made the House a little uneasy. And now, more than twenty years after, they had begun seriously to think whether the Established Church ought any longer to be maintained, because the murder of a policeman at Manchester and the explosion at Clerkenwell had made them a little afraid.

> "When the devil was sick the devil a monk
> would be;
> When the devil was well the devil a monk
> was he."

These lines very well expressed the policy of this country towards Ireland. He regretted very much the way in which this Motion had been met by the noble Lord opposite, and also by some hon. Members on that side of the House. They fancied that, because the Fenian conspiracy was scotched and there was no immediate fear of war, the people of Ireland might be put off to a more convenient season. It was as if the personage already alluded to was, on feeling a little better, to say to his father confessor, "Go thy way, and when at a more convenient time I will hear thee." That game had been tried too long. There was a time when the Irish people looked with some degree of confidence upon the Imperial Legislature. That was during the period of Lord Melbourne's Administration. When Sir Robert Peel was in office in 1844, the Opposition made a Motion almost justifying Mr. O'Connell's Repeal agitation because the Government of that day was doing nothing for Ireland; and again, in 1846, they turned out Sir Robert Peel because he had done nothing for Ireland. But when the Whigs came in they said that was not the proper time for dealing with the grievances of the Irish people; the question would keep; let them go their way. When such had been our policy, was it any wonder that many well-meaning men in Ireland declared that they had no hope whatever except in a national Legislature; that many mischievous men had set up a party, the avowed object of which was to make representative Government altogether impossible; and that men still more mischievous had said,—"It is all in vain to look to England, you must look to the United States, there is your only hope;" and that they had found a great many foolish and deluded people willing to listen to them? He entreated the House and the Government no longer to carry on this game of delay. If they disapproved the Motion of the right hon. Gentleman the Member for South Lancashire, let them meet it by a direct negative. They might think matters quiet now; but they did not know what a year might produce. Was Europe so tranquil; were our International relations with the United

States so good that they could dismiss all uneasiness? Was the public mind of Ireland so quiet because they had brought a few men to punishment? He had heard it said that if the Church were disestablished to-morrow there would not be a Fenian the less. There might still be mischievous men coming from America, but they would find very different materials to work upon. We ourselves might now laugh at little boys letting off squibs and crackers in the streets, but we should cease to laugh if we found this House was underlaid with gunpowder. Depend upon it, the whole of the social fabric was undermined with most explosive materials, ready to be ignited at any time. It was said that the people of Ireland themselves cared very little about the Established Church in that country, and that they complained of high rents and other material evils—very likely. A gouty patient often assures his medical adviser that he feels none the worse for his daily bottle of port; that what he really wants is something to sooth the pain in his hand or foot. The physician, if he is honest, will assure him that he will continue to feel pain somewhere if he does not adopt temperate habits. So it is with Irish grievances and ills. Why have they not found their remedy in Ireland, as like grievances had in other parts of the United Kingdom? This social virus of religious ascendancy had spread through the whole social system of Ireland, and so long as it continued to poison that system, so long would the material state of the country be unsatisfactory. He entreated the House to test this question thoroughly and resolutely. Once let these enormous iniquities cease to exist, then Ireland would soon after cease to be an anomaly and a by-word among nations.

Mr. BAILLIE COCHRANE said, he regretted that a question of such vital importance, and involving so many serious difficulties, should be made a party question. It was really lamentable that, while the whole House felt impressed with the grave importance of the subject, it should become a mere party discussion to decide who were to sit upon the Treasury Bench. The right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) had read the first Resolution submitted by him to the House, and had stated the second in substance. Granting to the right hon. Gentleman the first Resolution, what did the second amount to? The right hon. Gentleman, admitting that it was impossible to interfere with private patronage, did not hesitate to come down to the House to propose a Resolution to interfere with and arrest the direct Prerogative of the Crown. The question, it must be admitted, was involved in great difficulties. The Established Church in Ireland presented an anomaly. There were 5,000,000 Roman Catholics, whose Church had no endowments, while the Church of 700,000 or 800,000 Protestants was amply endowed. He believed that no man of sane mind could be found who would propose the establishment of a Church under similar circumstances in a new country; and if a plan could be devised to remedy this anomaly, and which at the same time would protect vested rights and the rights of the State, he for one should be willing to enter frankly and fairly into the consideration of such a plan. But the right hon. Gentleman opposite came down to the House and proposed to destroy the State Church root and branch, by a simple Resolution, and would not even allow the next Parliament an opportunity of discussing this question. The Church in Ireland was an anomaly; but what was the precise quality of the grievance? Some persons said that the grievance consisted in the endowment of so small a number of Protestants, and that the Establishment as it stood was viewed by the Roman Catholics as a badge of slavery and an insult. Now with respect to endowment they met the startling fact that the Roman Catholics declared that they did not want the revenues of the Church—that they cared nothing for them, and would not, under any circumstances accept them. The same Gentlemen who expressed anxiety for the interest of the Roman Catholics in Ireland were also the very Gentlemen who, two years ago, in discussing the Italian question, were in favour of the confiscation of Church property in Italy. That seemed to be a very strange inconsistency. He could only apply the word confiscation to the object aimed at by hon. Gentlemen opposite, whether he considered their conduct in relation to the Italian question or to the Protestant Church in Ireland. Those hon. Gentlemen knew well that confiscation was one step towards very great changes. As to the Church being in a state of bondage in Ireland and an insult to the Roman Catholics there, he (Mr. Cochrane) might say that he was a Dissenter in Scotland, being a member of the Episcopalian Church. As a landlord he had to support the Presbyterian Church, the revenues of which were taken from the Episcopalian Church. While he did so, he did not regard, nor had he ever heard in Scotland, that the people there regarded the giving of support in that way as a badge of servitude. On the contrary, the Episcopalians entertained the kindest feeling towards the Presbyterian Church in Scotland. When we begin to confiscate Church property we take one step towards revolution. It had been so in France in the Revolution, after the peace of Luneville. The same thing had been done in Italy. The whole of the Church property in Italy was confiscated. It was reserved for an honoured and distinguished and independent Member of this House, his noble Friend the Secretary of State for Foreign Affairs, and for Members of the English Parliament on the Government side of the House, to rise up and plead on behalf of that noble and magnificent institution, the Monte Casino. At the recommendation of the right hon. Member for Buckinghamshire (Mr. Disraeli) his noble Friend had a correspondence on the subject, while Roman Catholic Members opposite were perfectly silent with reference to it. The argument based upon the prevalence of Fenianism, and the miserable state of Ireland in consequence, his noble Friend the Chief Secretary for Ireland completely disposed of on a previous occasion. An admirable work had been written by the hon. Gentleman the Member for Cork (Mr. Maguire); it was full of information, yet every word in that book refutes his own argument. If you go to such places as Canada, Prince Edward's Island, to Nova Scotia, or wherever the Irish people might be found, there they were a prosperous, a happy and contented people. There was not not one word in that book to show that the Irish entertained those bitter feelings towards England which hon. Members opposite were constantly alleging in support of their views, but the contrary was proved to be the fact. So that, indeed, the Fenian movement had not arisen from distress or dissatisfaction in Ireland; but, as had been truly said by his noble Friend, it arose from the American War. The Tenant Right Society in Meath, which was set on foot in November, 1865, by a Roman Catholic Bishop, Dr. Nulty, passed the following unanimous resolution:—

> "The one, the great, the sole question for Ireland is the land question. Other agitations, such as that against the Established Church, are got up for party purposes, would infuse an element of bigotry into the already disturbed relations of landlord and tenant, would effect the ruin of thousands of tenants, and precipitate that social catastrophe which we are anxious to avert."

The *Tablet*, a Roman Catholic organ, a few years ago, said—

> "If the Irish Church Establishmeut were abolished to-morrow; if its churches, lands, and rent-charges were applied to secular and even to Catholic purposes; or if the Catholic Church were put upon a level of perfect equality, we should only have dealt with one symptom, and not have reached the seat of the disease. The wound of Ireland is that, whereas the great majority of the population are Catholics, such a large proportion of the soil belongs to Protestants, and that Protestants form such a large portion of those classes which are raised in social station higher than the others."

And only last May the same journal added—

> "We are of those who think that the notion of settling the Irish Church question by simply confiscating the property of the Protestant Church and abolishing its privileges is a foolish notion, and ought to be opposed as foolish, futile, and wrong."

The fact was, that these people liked a grievance. If you abolished the Church and gave them the land of Ireland into the bargain, they would still be dissatisfied; just as it was said of somebody that if you gave him Great Britain and Ireland for an estate, he would still want the Isle of Man for a potato garden. Apropos of this, Earl Russell, in his pamphlet, told a story which was taken from Spanish biography—

> "It is related of Gonsalvo de Cordova, called the Gran Capitan by his countrymen, that he was promised by King Ferdinand the high post of Grand Master of the Order of Calatrava. But the King having afterwards altered his mind and disposed of the post otherwise, sent to the Great Captain to offer him the city of Loja. 'No,' said Don Gonsalvo; 'tell the King that I prefer my grievance to the city of Loja.'"

In 1838 the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) wrote a pamphlet, which made a deep impression. He did not quote it now to show that the right hon. Gentleman had changed his opinions, but to cite the admirable arguments he had then used in defence of the Irish Church—arguments as sound and forcible now as they were then. The work was dedicated to the University of Oxford—

> "Tried and not found wanting through the vicissitudes of 1000 years, and in the hope that the temper of these pages may be found not alien from her own."

In that work were these passages—

> "The governing body of the State, in order fully to discharge its duties, must profess, must support, must propagate a religion, must profess it personally and collectively. Upon us of this day has fallen—and we shrink not from it, but

welcome it as a high and glorious, though an arduous duty—the defence of the Reformed Catholic Church in Ireland, as the religious Establishment of the country. The Protestant Legislature of the Empire maintains in the possession of the Church property in Ireland the members of a creed professed by one-ninth of its population, regarded with partial favour by scarcely another ninth, and disowned by the remaining seven; and not only does this anomaly meets us in full view but we have also to consider the fact that the maintenance of the Church for nearly three centuries in Ireland has been contemporaneous with a system of partial government, and of gross inattention to the interests of a noble and neglected people. But, however, formidable at first sight these admissions are, they in no degree affect the foregoing arguments, they do not change the nature of truth, they do not relieve Government of its responsibility; a common form of faith binds the Irish Protestants to ourselves."

He was sure that the right hon. Gentleman was most sincere in any change of opinions he had undergone, but the right hon. Gentleman had not succeeded, in 1868, in answering the arguments which he had urged in 1838. In another instance the right hon. Gentleman had not been quite candid with the House. He stated that his opinions had been undergoing a change for the last twenty or twenty-four years, But in 1865 there was a debate in this House on the Irish Church, and the right hon. Baronet the Member for Morpeth (Sir George Grey) then made, in the name of the Government, a speech, in the course of which he said—

> "That being the case, Her Majesty's Government have no hesitation in saying, that they are not prepared to undertake the responsibility of proposing to Parliament a Bill calculated to effect that object. They believe that this object (disestablishment) cannot be obtained except by means which must inflict great injury upon Ireland. . . . We have the Irish Protestant Church established as an existing institution in Ireland; it is not of recent creation, it rests upon the prescription of centuries, and, to use the expression of a distinguished Roman Catholic layman, it is rooted in our institutions: the firm belief of the Government is that it could not be subverted without revolution, with all the horrors that attend revolution."—[3 *Hansard,* clxxviii. 398, 400.]

It was remarkable if the opinions of the right hon. Gentleman were undergoing a change at that time, that he should not have risen and denied the statements which his Colleague then made in the name of the Government. It was a strange example of inconsistency. Again Earl Russell said in 1853—

> "I am obliged, then, to conclude—most unwillingly to conclude, but most decidedly — that the endowment of the Roman Catholic religion in Ireland, in place of the endowment of the Protestant Church in that country in connection with the State, is not an object which the Parliament of this country ought to adopt or sanction. Sir, these opinions of mine may lead to conclusions unpalatable to many who belong to the Roman Catholic Church. They may lead to a persistence in a state of things that I quite admit to be anomalous and unsatisfactory; but I am obliged, as a Member of this Parliament, to consider—and to consider most seriously in the present state of the world—that which is best adapted to maintain the freedom and permanence of our institutions. . . . Seeing these things I give my decided resistence to the proposal of the hon. Gentleman for the abolition of the Established Church in Ireland."—[3 *Hansard,* cxxvii. 946.]

Well, then, was there much encouragement to be derived from the course of policy which had been pursued towards Ireland of late years? The House would recollect the oath, not now taken, but formerly administered to Roman Catholic Members—

> "I do hereby disclaim, disavow, and solemnly abjure any intention to subvert the present Church Establishment as settled by law within this realm; and I do solemnly swear that I never will exercise any privilege to which I am or may become entitled to disturb or weaken the Protestant religion, or Protestant Government in the United Kingdom; and I do solemnly in the presence of God profess, testify, and declare that I do make this declaration and every part thereof in plain and ordinary sense of the words of this oath, without any evasion, equivocation, or mental reservation whatsoever."

He admitted the anomalous position of the Irish Church, alluded to by Mr. Gladstone in 1838, and if there were any means of removing that anomaly with a due regard to vested rights he would gladly do so. He felt the danger with which we were threatened. He concurred in the opinions he had quoted, that interference with the Irish Church would lead to revolution; at any rate it must lead to great disturbance, and that not among the Protestants only in Ireland. He dreaded all this because it involved the fulfilment of a prediction made by the hon. Member for Birmingham (Mr. Bright) a few years ago. Speaking at Birmingham, he said, "Let the Reform Bill be carried, and I will at once attack the Establishment in England and the feudality of the dark ages." That was ten years ago, and the statement appeared in an edition of the hon. Member's speeches corrected by himself. He was delighted if he might infer from the gesture of the hon. Member, that he was now penitent, and was becoming moderate in his views under the guidance of the right hon. Gentleman the Member for South Lancashire. For himself he thought the words of the Coronation Oath should be impressed upon every man's heart. He had been educated to support the principles of Church and State, advocated by the right hon. Gentleman the Member for South Lancashire, to whom he owed a part of his education. Therefore he would do his best, as long as it was possible, to maintain that union, in the interests of this country and as a means of rooting religion in the affections of the people.

MR. MONCREIFF said, he entertained a hope that from that time a better day was about to dawn for Ireland. Looking at the speeches of the right hon. Member for South Lancashire (Mr. Gladstone) and the noble Lord opposite, it appeared that the obstacles that had so long stood in the way of the pacification of Ireland would, at no distant day, be finally removed. If no further obstacle were presented to that consummation than was contained in the Amendment which was the subject of debate, its ambiguous terms, and the faltering tone of the noble Lord who moved it, would afford no grounds for fearing the revolution or strife apprehended by the last speaker. The noble Lord scarcely realized the magnitude and importance of the issue. The Motion was only the offspring of the discussion which took place a few days ago. We were told that this was to be an Irish Session; that the state of Ireland was one fraught with imminent peril; that it was desirable, and it was intended, to have the matter discussed; and we were promised, some time ago, with some parade, a declaration of the policy of the Government. That was made in the speech of the noble Earl (the Earl of Mayo), which disclosed a policy which neither the House, nor Ireland, nor this country could accept. If we were to believe the Amendment of the Government, it amounted to a confession that their propositions did not amount to a cure for the state of Ireland. Under these circumstances, the right hon. Member for South Lancashire had offered these Resolutions as a contribution towards a policy for Ireland, and the question was, "Will the House accept that policy?" It was satisfactory to note that the Irish Church had met with no defence or justification. Many statements had been made, and arguments brought forward; but not a word had been said in favour of the Irish Church Establishment itself. No wonder it should not be defended. Formed by injustice, nurtured in discontent, the fertile source of heartburnings—a great obstacle, as he apprehended, in the way of the Protestant religion—the scandal of the principle of Church Establishments, and an obstruction in the way of good government, its history, associations, and principle alike precluded the possibility of defence. When the right hon. Gentleman gave notice of his Motion, the knell of the Irish Church was rung, and the mode in which Government met that Motion placed the matter beyond all doubt. The first note sounded was a letter from the Prime Minister to a noble Earl (the Earl of Dartmouth), published in the newspapers. The Prime Minister said—

> "We have heard something lately of the crisis of Ireland. In my opinion the crisis of England is rather at hand; for the purpose is now avowed, and that by a powerful party, of destroying that sacred union between Church and State which has hitherto been the chief means of our civilization and is the only security for our religious liberty."

The noble Lord the Secretary of State for Foreign Affairs could not find disendowment in the right hon. Member's Resolutions; he could not find in them any indication of an intention to take away the endowments of the Irish Church; yet the Prime Minister had said, not only that the Church of Ireland was to be destroyed, but that the purpose of attacking the English Church was not only entertained, but avowed. This, according to the Prime Minister, was seen on the face of the Resolutions; but, at all events, it was only because they went to destroy the union between Church and State in England that the Resolution was to be opposed. As regarded the Church of Ireland, there was nothing to be said. When they came to the discussion of that night, the subject was treated with all becoming solemnity; but the noble Lord's Amendment was not in harmony with these demonstrations. The Amendment of the noble Lord might mean anything or nothing. It did not imply that the disestablishment of the Irish Church would destroy the security for our religious liberty; on the contrary, it looked forward with complacency to the possibility of a new Parliament dealing with the question in that way. That view was supported by the fact that the noble Lord, in a moment of forgetfulness, said, in effect, "The right hon. Gentleman is making a party move for party purposes; he and his party want the credit of doing it; they want to be the first in the field; we are quite ready to do it if only you will give us time. True, their proposition is to destroy the only security for our religious liberty; but if you leave this Establishment until the new Parliament, we will take the credit from them, and carry their measure ourselves."

He (Mr. Moncreiff) wanted to know the principle on which hon. Gentlemen opposite intended to discuss the question. Was it to be a question of the inviolability of Church revenues, the Coronation Oath, and the Articles of Union? Was the Conservative party going to maintain the ground it had so often maintained, or had it abandoned that ground? The House was entitled to a distinct and clear answer. If the cries of "Protestant ascendancy" and "No surrender" were once and for ever abandoned, surely the patriotic course was to say so plainly. The evil done by ambiguous speaking was not to be told. It was said this was a party move; but hon. Gentlemen opposite could if they liked destroy its party character at once. The right hon. Gentleman the Secretary of State for the Home Department declared in 1865 that as long as he had a seat he would maintain the connection between Church and State. Had hon. Gentlemen opposite abandoned those opinions? If they had let them say so, and not palter with the House; let them state plainly whether the Irish Church was to be maintained, or whether both sides of the House were jointly to arrange a plan of adjustment based upon its disestablishment. The noble Lord said they were ready to admit that considerable modifications in the temporalities of the Irish Church might appear to be necessary after the pending inquiry. But why the House of Commons was to admit that he (Mr. Moncreiff) did not know. Why was the House of Commons to admit that something was to appear necessary on a pending inquiry—especially as this was a moribund Parliament? He could understand a person's declaring that the Irish Church was an anomaly, and therefore should no longer exist. What the noble Lord said was equivalent to this: "You may be perfectly right—I do not say you are wrong—but you must not say it in this Parliament." But it was forgotten that they were dealing with a crisis in Ireland, and, as the right hon. Gentleman the First Minister of the Crown had said, a crisis in England also. It was not the Resolution of his right hon. Friend which made the crisis, but the subject of the Resolution. As a Scotchman, he entertained, in common with all his countrymen, the warmest sympathy for Ireland, produced partly by the analogy and partly by the contrast of the countries. Both had had their struggles. Scotland as well as Ireland had the Celt and the Saxon, and a climate not more propitious than that country. Scotland had had her difficulties, ecclesiastical, political, social, and agricultural. But there the analogy ended, and the contrast commenced. The result produced in Scotland was one of unexampled prosperity and peace. There were 20,000 soldiers in Ireland, while in Scotland the number was so small that it could hardly be called a garrison. In fact, there were not sufficient to control a determined mob. He had listened with profound interest to the debate introduced by the hon. Member for Cork (Mr. Maguire). In some respects, he thought the hon. Member had made but a weak case of grievance, although a strong one of disaffection. He did not think Fenianism could be said to be directly caused by any of the matters referred to. It did not arise from the land question, from mixed education, or from the Church, and certainly not from the want of Government subsidies, for whilst Scotland contributed one-fifth more to the revenue, she received only one-fourth of the amount of the Irish subsidies. But the fact remained, and if no grievance they could lay their hand upon was the cause of disaffection—if they had disaffection and no visible cause for it, there could be no more dangerous symptom. When they knew the precise evil, they could apply a remedy to it. They could remove disaffection by removing the cause. It had been said that the state of Ireland was not now so alarming as in 1798 and 1848, but he (Mr. Moncreiff) could not agree in that opinion. The Rebellion of 1798 was a common-place rebellion; that of 1848 was very much the same. There were recognized leaders; they struck the leaders, and the rebellion went out. But Fenianism was a monster without a head. It cropped up everywhere. It was not confined to Ireland; it made its appearance also in England and Scotland; its ramifications extended all over the country. There was nothing to take hold of; yet there were indications that, if it had succeeded, it would have been a rising against everything venerable, respectable, and valuable. It had no leaders, but spread down to the lowest basis of society. That was the evil they had to guard against. The noble Lord talked of leaving this matter to the next Parliament; but who knew what might happen in the interval? It had often been said that England's difficulty was Ireland's opportunity, and that difficulty might arise. He might be asked, how would the reform of the Irish Church stop Fenianism? He said, in the only way in which it could ever be stopped. Fenianism was the recoil of the wave of oppression, and it was only by removing the sense of oppression that it could be dealt with. They might think that a tardy repentance would atone for former sins; but it would do nothing of the kind. It was only Ireland that could put down Irish disaffection. They wanted to have the spirit and feeling as well as the act of loyalty; and this could never be had till they dealt justly with Ireland, and removed those things which were felt, and could not but be felt, as marks of degradation. He believed that passing the Resolution of his right hon. Friend the Member for South Lancashire (Mr. Gladstone) would do more to bind the Irish to this country, and to renew those feelings which naturally sprung up in the breasts of the Roman Catholic population, than anything which had been done within this century. But it was said that this was only a party movement. The noble Lord said he respected a change of opinion, except in one particular set of circumstances—that was upon the eve of an election, and for a mere election cry. The noble Lord, he supposed, had no particular objection to changes of opinion under certain other circumstances—for instance, to maintaining one set of opinions on one side of the House, and another set on the other side. But when it was said that his right hon. Friend had got up this cry simply for the occasion, he must say a more unjust accusation could not be conceived. It was not true; but if his right hon. Friend had changed his opinion, no one could have blamed him—he was but acting the part of a wise statesman. He had seen everything else fail. Was it not plain that something must be done to put the axe to the root of the injustice complained of? His right hon. Friend did not see his way till now. [*Ironical cheers.*] But no one could read the speech he made in 1865 without seeing what his conviction was. There was not a sentence in it that did not breathe the sentiment expressed in these Resolutions; and he ended by saying that the evil of the Irish Church was not the superfluity of its funds, but its false position. So strong was the speech in this direction that the then Member for the University of Dublin (Mr. Whiteside) complained that his right hon. Friend had made a speech for the destruction of the Irish Church, while the hon. Member for Swansea (Mr. Dillwyn) said he read in the words of the Chancellor of the Exchequer that this great grievance was very near its end. That was in 1865, before they had Reform, while Lord Palmerston was in office, and before any change of Government was impending. He denied, therefore, that his right hon. Friend was liable to the charge that was made against him. As far back as the year 1835 the Liberal leaders declared their policy upon the subject, and Sir Robert Peel accepted the position, and said that the promoters of this movement lagged behind their opinions. It was perfectly true that between that period and this no proposition had been laid before Parliament on this subject. But why? Because of the power of the Tories in obstruction. Hon. Gentlemen opposite cheered derisively when he said that the time had never come till now; but they should recognize the change which the events of last year had made in the whole course of political warfare. They must learn that since the action taken at that time political questions would be brought to a much shorter and sharper decision. The old modes of political fighting—the long sieges, the marches and counter-marches, the winter and the summer campaigns—would be no longer resorted to. When hon. Gentlemen opposite left the entrenchments which they had so long and sturdily defended, to march in search of a more advanced position, they left them for good. For one reason, among others, he did not in the least regret this. This Irish Church, and other great political questions, would now be brought to the test of truth and reason and justice as rapidly as the Prussian war of last year was decided—a war which, under the old system, would have lasted for years, but which was terminated in six weeks. The changes of last Session have produced another result which hon. Gentlemen opposite must also recognize. When the present occupants of the Treasury Bench called upon their friends to support them, no one believed that they were really going to fight. When they said they were going to nail their colours to the mast to-day, every one believed that those colours would probably be hauled down to-morrow. The Prime Minister shouted his war-cry of "No surrender;" and the noble Lord the Foreign Secretary, in this House, like echo, gave back "Surrender." It was no wonder that the proposition made by the right hon. Gentleman the Member for South Lancashire was never made before. The party opposite were wont to obstruct, and they would and could have obstructed that proposition if made previously. The difference now is that although they might have the wish, they had not the power, to obstruct now. It was suggested that the present Parliament was not competent to deal with the question. Apparently it was intended to be conveyed that, as the franchise was extended last year, the Members who had seats for English constituencies no longer represented those constituencies. In that case, what was to become of the Scotch and Irish Reform Bills? However, since the right hon. Gentleman opposite had told the House that it might deal with those measures as it pleased, perhaps there would be less difficulty in the matter. But was there any truth in the allegation of the incompetency of Parliament? The noble Lord the Chief Secretary for Ireland proposed to introduce a Bill on the much-vexed question of the relations of landlord and tenant in Ireland, with the view of having that subject dealt with by the present Parliament. He (Mr. Moncreiff), therefore, did not understand what the noble Lord the Foreign Secretary meant by denying the competency of the Parliament to deal with the subject now under consideration. The Parliament was competent to promote the pacification of Ireland by doing justice to that country, and he was greatly mistaken if that House would listen to the plea that it was not competent to deal with what was, in his mind, one of the most urgent and important questions of the day. The noble Lord the Secretary of State for Foreign Affairs found nothing better to say than that he did not see anything in the proposed Resolutions which might not be made consistent with endowment. The right hon. Member for South Lancashire, however, explained that what he intended was that endowment should be withdrawn, excepting so far as related to life interests. There was, in fact, no doubt in that House, or in the country, as to what the right hon. Gentleman meant. It was said that the cause of Protestantism would suffer by the disestablishment of the Irish Church; but he thought that any one looking to the condition of the Established Church in Ireland must admit that Protestantism would gain by it. How could the Established Church in Ireland have weight with the people, when they regarded it as a badge of their inferiority, and when from father to son it was pointed out as a record of the degradation and humiliation of Ireland? In England the Norman and Saxon had mingled together, and in Ireland, if there had not been kept up this landmark, this Church of the minority, giving to the minority in the most sacred relations a position above the majority, he did not doubt but that the state of things in Ireland would have been very different from what it now was. It was idle to say that the Roman Catholics did not look upon Protestant ascendancy in their country as a grievance. Although his hon. Friend the Member for Honiton (Mr. Baillie Cochrane) said that he did not feel himself humiliated because Episcopalians, who were a minority in Scotland, had to contribute to the support of the Scotch Church, there could be very little doubt that their forefathers in Scotland would have felt greatly humiliated if there had been any successful attempt to uphold the Episcopal minority as a State Church in Scotland. With respect to the principle of Church Establishments, he did not think that any such alarm needed to be felt as that expressed by the hon. Member for Honiton. No one imagined that the Resolutions struck at the Church of England, or the Church of Scotland; and whoever would suggest that the standing or the falling of the Church of England depended on the fate of the Irish Church, must either be a concealed enemy or a very injudicious friend of the English Church. Nothing could be more unwise than to persuade the people that the Irish Church was mixed up with the existence of the English Church. The Irish Church was doomed; but he would be very sorry to think that the Church of England was in the same position. On the contrary, whatever might be its internal dissensions, the English Church was a strong and vigorous institution. With regard to Church Establishments, the only ground on which they could be defended was, that it was within the province of a State to establish what it deemed to be the true religion, if it thought that thereby religion would be promoted; but it could not be contended that it was right to establish in the midst of a community an alien Church, or that it was possible thereby to promote the spread of religion. It was said that these Resolutions, if carried, would lead to further attacks. He entertained a different opinion. The Motion for the Resolutions would be carried by the feeling of the Protestant people of this country; and he trusted that it would be accepted in Ireland, as from England and Scotland, as an offering laid on the altar of justice, as some atonement for past oppression, and as a presage of harmony and prosperity for the future.

Viscount CRANBORNE: Sir, the right hon. Gentleman the Leader of the

Opposition has made a Motion to-night which he has rested on great principles, and which has raised important issues. The representative of the Government, my noble Friend the Secretary of State for Foreign Affairs, has made a speech in which he has limited the issue to petty differences and excuses for delay. It is very difficult to know which of the two guides we ought to follow in the conduct of the debate; but my feeling on the whole is, that as we may have future opportunities of dealing with the Motion and sentiments of the right hon. Gentleman the Member for South Lancashire, (Mr. Gladstone) we ought rather to confine ourselves to the issue which the Minister of the Crown has authoritatively laid down for us, and I will, therefore, merely indicate my views on the Motion of the right hon. Gentleman. The right hon. Gentleman spoke of a sentiment in favour of the Established Church with respect, although he avowed that he himself had escaped from its spell and felt bound to oppose it now. I most frankly avow, that I am not of his opinion, and that that sentiment still exercises a hold over me that I regard as sacred. It appears to me that there is no problem in the development of modern society more important and more difficult, and yet which touches more deeply the sacred springs of human feeling and the most important interests of human society than the connection that exists between Church and State. Under these circumstances, I cannot look upon the sentiment in favour of the Established Church as a thing to be praised, but to be disregarded. This sentiment appears to me to be bound up with our national life—to enter deeply into our Constitution, and, even if no higher motives restrained us, we could not, in my opinion, abandon it without imperiling all the greatness and all the material advantages of which we are so proud. And, therefore, although the principle involved in that sentiment be applied to a part of the United Kingdom where it is severely tested, and where we have to rely more upon abstract principle and less upon expediency than I could have wished, still my feeling is that, even as applied to the case of Ireland, it is a principle which I will not desert—it is a principle which has done so much good in past times—it is a principle from which we may hope so much hereafter—it is a principle which I have always supported, that even if I were inclined to doubt of its soundness it would not be in this moment of its trial and adversity that I would shrink from upholding it. I do not wish to go to a lower motive; I should rather choose to rely upon the importance of maintaining the connection between Church and State, and of having some organization by public authority and of higher principle than the mere material interests which ordinarily guide politicians. I would rather look to something more noble than to the ordinary dictates of political economy or to the necessities of our political organization. But if I did seek for lower motives I think I could easily find them—I confess that I doubt whether the object for which this great change is to be effected would be attained, even were the sacrifice made. We seek for peace; peace above all things is what we desire in Ireland. And you are going to do what?—to secure peace? Why, you are going to draw down upon yourselves the certain and bitter enmity of one-third of the population—the most able, the most wealthy, and the most influential portion of the population of Ireland—without your having any security whatever that you will conciliate the remainder of that population. I have said that I should not argue the question upon this ground. I have merely made these few remarks in order that there may be no misunderstanding as to the position I hold upon this point. But now I must pass to the immediate issue before us—I mean to the Amendment of the noble Lord. I must frankly confess that, forgetting some of the dark passages of last year, I had indulged in a pleasing dream that when the question of the Irish Church was mooted there would be again a united party contending for a great principle—ready to fight for it—ready to sacrifice for it—ready to maintain its views without flinching, and if necessary, ready to carry the question before the great tribunal of the nation. In that anticipation I have been disappointed. We have had, instead, nothing more than the ambiguous utterances of a more than Delphic oracle. We have had this Amendment commented on in a speech from which I defy the most acute critic to extract any idea of the future policy of Her Majesty's Government. Now, what is this Amendment? I confess when I first heard it I listened to it with great suspicion, and that suspicion has not been at all lulled by the speech by which it was recommended to us. The Amendment commences thus—

> "That this House, while admitting that considerable modifications in the temporalities of the United Church in Ireland may, after the pending inquiry, appear to be expedient."

Now, what are "modifications in temporalities?" The English of this Resolution has been commented upon before; but I confess that I am utterly unable to understand this particular phrase. There is only one thing it can mean. I put it to any landed proprietor in this House what he would think if any person came to him and proposed to introduce modifications into his landed estate? Or what would a gentleman think who, upon the high road, was requested by a man on the other side of the hedge to permit him to make modifications in the ownership of his purse. For my own part I can only describe it by using the words of which it is composed. It means the "modification in the temporalities." The phrase may cover anything or nothing. It may mean giving to Belfast what is taken from the South; or it may mean modifying the temporalities out of existence altogether. There is absolutely nothing in the phrase to tell us what it means. Still this Amendment is a concession. The House is said to be perfectly incompetent to pronounce upon any great question; yet it is held by Her Majesty's Government to be perfectly competent to pronounce an opinion that modifications are to take place in the temporalities of the Irish Church. But, going a little further, we are told—

> "That any proposition tending to the disestablishment or disendowment of that Church ought to be reserved for the decision of a new Parliament."

Is any hon. Member able to tell me that disestablishment or disendowment is excluded by that proposition? Some years ago a very eminent Gentleman (Mr. Miall) made a proposition in this House that all the temporalities of the Irish Church should be applied to lunatic asylums, roads, and canals; and I should like to know whether there is anything in this Amendment which should exclude the proposition from the *répertoire* of Her Majesty's Government? The noble Lord raised some objections to the Resolutions of the right hon. Gentleman the Member for South Lancashire, because they only contained the word disestablishment and not disendowment; but I confess I should have wished the noble Lord had confined himself to the use of the latter word, and had left the former alone. We could not gather much from the speech of the noble Lord, in reference to the future policy of Her Majesty's Government, but he certainly said one thing that filled me with astonishment. He discussed the various alterations and treatment that might be applied to the Irish Church, and, in doing so, he talked of the solution of the connection between Church and State, of the exclusion of the Bishops of the Irish Church from the House of Lords as the loss of a mere empty title. That is the way in which the Minister of a Conservative Government is prepared to discuss the disestablishment of the Irish Church. I am bound, however, to say that I have something to re-assure me on this subject. We have had a letter of the Prime Minister to the Earl of Dartmouth. I hope I have it in my pocket, because I look upon it as the charter of the Irish Church. Oh, here it is, and now what does the right hon. Gentleman say in it—

> "We have heard something lately of the crisis in Ireland. In my opinion the crisis of England is rather at hand; for the purpose is now avowed, and that by a powerful party, of destroying that sacred union between Church and State which has hitherto been the chief means of our civilization, and is the only security for our religious liberty."

And that in the opinion of the Foreign Secretary is little more than a mere empty title. How am I to reconcile these conflicting authorities — what hope am I to draw from these differences for the security of the Irish Church? I dare say I shall be told that the Home Secretary and the Irish Secretary have uttered very earnest and able encomiums upon the Irish Church. That I am ready to admit, but I hope those right hon. Gentlemen will acquit me of any intentional disrespect towards them when I say that their utterances do not yield to my mind any consolation with regard to the security of the Irish Church. I cannot forget last year. I cannot forget that last year Secretary of State after Secretary of State pledged himself to a restricted franchise in boroughs; that one affirmed that he could not consent to household suffrage? and that another declared upon his honour that nothing could induce him to assent to the policy of the hon. Member for Birmingham (Mr. Bright), and yet, in two short months, all these pledges were mere waste paper, and were absolutely repudiated by the action of the very men who had given them. Therefore, while giving the right hon. Gentlemen credit for sincerity, in the views they have expressed, I am utterly sceptical of their power to restrain their erratic Leader. And I am bound to say that the right hon. Gentleman will have language of his own which he can quote in support of whatever policy he may feel disposed to adopt; for it is part of the political skill of the right hon. Gentleman to be able to refer to phrases of his own in favour of any course he may deem it advisable to take. For instance, if it should suit him to take the Protestant line, here is the Dartmouth letter; should it suit him to take an opposite course, he can always refer to his speech of 1844, the spirit of which, as I heard him declare the other evening, is still right. Now, when we consider this Resolution, what inference are we to draw from precedents. We have for some years been voting against a £10 county franchise, and when in 1858 a Conservative Government came into office the proposal for a £10 county franchise was, to my great surprise, met, for the first time for many years, not by a direct negative, but by the Previous Question. I looked upon it, however, as one of the ordinary incidents of politics, and thought nothing of it. But, Sir, the next year the £10 county franchise was accepted by a Conservative Government. Well, in 1866 we had a Reform Bill, introduced by the right hon. Gentleman the Member for South Lancashire, and the Resolution on the second reading of that Bill was seconded by the noble Lord who has moved this Resolution to-night. ["Question!"] I am very sorry to trespass so far on the patience of hon. Gentlemen at that end of the House (behind the Ministerial Benches); but when a Minister of the Crown will not tell you what he means to do, I maintain that it is within the Question to show from his past conduct what is likely to happen in the future. The Resolution on that occasion was pitched in the same key as the Resolution of to-night. There was the same balance of sentences—

> "That this House, while admitting that considerable modifications in the temporalities of the United Church in Ireland may, after the pending inquiry, appear to be expedient, is of opinion that any proposition tending to the disestablishment or disendowment of that Church ought to be reserved for the decision of a new Parliament."

That is the Resolution to-night. Well, the Resolution on that occasion, if I recollect rightly, was—

> "That this House, while recognizing the necessity of a just and moderate measure of Reform, is further of opinion, &c., and that the Reform Bill ought to be deferred till the next year."

That was the Resolution which was seconded by the noble Lord. On that occasion all who were opposed to the reduction of the franchise supported the noble Lord in a body, thinking very little of the admission that was made and the postponement that was suggested; but what was the result? In the next Session, with the assistance of the same noble Lord, household suffrage was adopted. Here, again, we have the same phenomenon — an opinion steadily maintained by the Conservative party when out of office is changed when in office for the same plea for delay and the same admission that considerable modification is required. What will be the result? If we are to judge by what has happened before, the result will be that those Gentlemen from the North of Ireland who are especially anxious for the maintenance of the Established Church in Ireland exactly as it is, will find themselves much as we who were in favour of restricted borough suffrage were last year—they will probably find themselves voting very humbly next year in the wake of the right hon. Gentleman for the total disestablishment and disendowment of the Irish Church. I have seen the process once, and I do not want to see it again. It is quite clear that this ambiguous Resolution would not have been put forward by any Ministry, unless they either had no policy to bring forward, or had only a policy which they dared not avow. If it were otherwise, it would be easy enough for them to state on what principle they intended their policy to rest; it ought to have nothing to do with any inquiry, for the questions to to be decided are not dependent upon inquiries. The general facts are already perfectly well known; and if the Government refuses now to tell us what they intend to do, you may depend upon it that there is something behind which they do not wish us to know anything about. I cannot help feeling that this is one of the Motions which, to use the expressive words of the hon. Member for Nottingham (Mr. Osborne) are constructed on the principle of "cross-fishing"—that the Motion is one which is intended to fish on both sides of the House. It whispers to the Gentlemen from the North of Ireland, "Vote for me; I am the champion of the Protestant Church. I am seeking for delay in order to secure your interests." It whispers to other hon. Gentlemen, "Vote for me; I am educating my party, and the moment that the process is complete, all your wishes shall be fulfilled." And I have no doubt if I could unveil the secrets of the Lobby, we should find Gentlemen professing to speak in the name of the Government, whispering suggestions of this kind in accordance with the respective views of those whom they address. Now, I hope I may not be mistaken. I do not pretend to predict the probable course of the right hon. Gentleman at the head of the Government. I should as soon undertake to tell you which way the weather-cock would point tomorrow. It may be that the Gentlemen who are taken by this device will find that the pea is not always under the same thimble, and that the hopes that they have been led to entertain will be frustrated. It may be that hon. Gentlemen on this side of the House, if they vote for this Motion and carry it, may next year find themselves in the condition in which we found ourselves last year—that by their party allegiance they have contributed to the very result they desired to avoid, and to the destruction of those principles to which the whole of their political life has been devoted. I cannot help feeling that such proceedings, such a system of management are unworthy of the House of Commons. It is to the Executive Government that we have to look for guidance. The speech of the noble Lord to-night seemed to me more like the speech of a Member in opposition than that of a Member of the Government, inasmuch as it assumed and even exaggerated all the privileges of a Member in Opposition. It was almost entirely confined to criticizing the Motion of the right hon. Gentleman opposite, but it studiously and ostentatiously abstained from laying down any principles of its own. He told us, in the first place, that the question of the Irish Church must be the first, or one of the first subjects that must occupy the attention of the new Parliament, but then he declined to make any statement that would fetter the Government when dealing with the question. Is that an attitude which the Executive Government ought to assume towards the House of Commons? Hitherto it has been held that the Executive Government guides the deliberations of the House of Commons. It lays down its principles clearly, and argues them out, supporting them with all the weight of its authority and asking the House of Commons to express its opinion on them. Until the last two years we have not seen the spectacle of an Executive Government waiting upon the opinion of the House of Commons, refusing to lay down any opinion of its own, and almost openly avowing that it merely looks to see which way public opinion will point, admitting, that it will act as an instrument of that public opinion, and that it has no opinions of its own to express. It seems to me that such an attitude is destructive of the position of the Executive in this House. I will go even further, and say that it is a fatal blow to the efficiency of Parliamentary Government. The House of Commons cannot initiate the policy; the House of Commons cannot undertake the functions of the Executive Government and point out the path which it is to take. It is the duty of the House of Commons to select those Ministers in whom it places trust, and as long as it places confidence in those Ministers to support the policy which they may announce. I know that with a certain number of Gentlemen on this side of the House this Amendment is popular. I have heard it spoken of as being very clever. It is clever, Sir; it is too clever by half. If the Government intend to conduct the Irish Church to a painless death, this is, probably, the best way to secure that result; but if they propose to defend and adhere to the principles contained in the letter to which I have alluded, it is the very worst way to attain the object they have in view and to revive the enthusiasm of the people. If you wish to support the Church, you must come forward and fight in the light, and not shelter yourselves behind ambiguous phrases and dilatory pleas. I admit that the right hon. Gentleman opposite has spoken to-night with perfect candour and openness in expressing his opinions, and I would reciprocate that candour by telling him that I shall meet his Motion with a straightforward and direct negative. But I cannot support an Amendment of which the object, as it appears to me, is merely to gain time—merely to retain the cards in the hands of the Executive that they may shuffle them as they like—merely to enable them to repeat on the Irish Church the process which they last year applied to Reform—merely to enable them to utilize great questions of public policy and matters which excite the feeling of the people out-of-doors to the utmost for the purposes of party and the maintenance of a Government in place. I think that such tactics are not honourable to the House of Commons, nor honourable to the Government which resorts to them; and, while earnestly resisting any attack upon the principle of the Established Church, I say that, in the interests of that principle, in the interests of the Irish Church, in the interests of all those convictions which the Conservative party has ever entertained, it does not seem to me wise, it is not fair, it is not creditable, to lay on the table of the House, and to take issue upon, an Amendment such as this.

MR. LAING said, he thought that, as he had given notice of an Amendment to be moved when the House went into Committee, it might be convenient that he should now briefly state the object he had in view, so that they might know the position in which they would find themselves on going into Committee. He confessed that, if that or any other Motion on the present question had been brought forward merely for a party purpose, he for one would be found among those on that (the Opposition) side, whom the right hon. Member for Kilmarnock (Mr. Bouverie) called "followers who did not follow." He was of opinion that Her Majesty's Government having, in the last Session, carried a Reform Bill which, on the whole, was accepted as satisfactory to the country, might, under ordinary circumstances, have been left to appeal to the new constituencies which they had created. He would also add that, with respect to several branches of administration, and more especially with respect to foreign policy, he, for one, preferred the course pursued by the present Government to that adopted by their predecessors. For those reasons he would not have been disposed to join in any mere party vote in order to drive the Government prematurely from office. But while he would not have been prepared to sacrifice the Ministry to party he was equally not prepared to sacrifice Ireland to the Ministry. The Motion now before them raised an issue of first-rate and Imperial importance. For the raising of that issue at the present time the speeches made from the Treasury Bench on a recent occasion were in a great measure responsible. If the question had rested simply on the able speech delivered that evening by the noble Lord the Secretary of State for Foreign Affairs, there might have been a fair case for asking for delay. If the Government had merely come forward and said, "This being the last Session of an expiring Parliament, and this being a question of first-rate importance, which cannot be practically settled till another Parliament has been elected by the newly-created constituency, we regard this as an open question, and we ask for time to make up our minds upon it." That might have been a fair position for them to take. But after what had fallen from the Government on the subject of the Irish Church in a former debate, and also after the letter of the Prime Minister, it was impossible for anyone calling himself a Liberal to shrink from the issue which had been raised, or any longer to avoid coming to a vote upon it. That issue distinctly involved this among other points. Could they maintain the existing Protestant Establishment and the present system of religious inequality in Ireland? On that point it was enough to say that when a prominent Cabinet Minister like the Secretary of State for Foreign Affairs told them that not one educated man in a hundred in this country would advocate the maintenance of that system, it was surely impossible that things could permanently remain as they now were in Ireland. While no impartial person would affirm that the Irish Church was a practical injury to Ireland, on the other hand no impartial person could deny that it was a practical insult to the great majority of the Irish nation. If such an institution were sought to be forced upon the people of Scotland, they would not, as history showed, stand it; neither would the people of England for a moment stand any such treatment of themselves. No people with any sense of national honour and self-respect could submit to the Church of one-sixth or one-seventh of the country remaining for all time to come the Established Church of their nation. That was a grievance which time would not remove, but, on the contrary, one which, as Ireland grew more educated, more prosperous, and more imbued with a feeling of self-respect, would become magnified, and would rankle more and more in the minds of her population. Then, he asked, was it consistent with the safety of the Empire to allow that state of things to continue in Ireland? He did not exaggerate the importance of Fenianism; but if we were unhappily to be involved in war with America or some other great Power, would any responsible Minister like England to enter the conflict with one arm tied behind her, as would practically be her position if Ireland were disaffected? What would have been the condition of Prussia, if in her late struggle with Austria, the whole of her Roman Catholic population had been in a state of discontent? Then, with regard to the suggestion of the Chief Secretary for Ireland, that they should "level upwards," or, in other words, equally endow the Roman Catholic and the Presbyterian Churches with the Episcopalian Establishment in Ireland, whatever might have done in Mr. Pitt's time or fifty years ago, that was now simply impracticable. What possible alternative, then, except disestablishment remained? It had been urged, as an objection to the Resolutions, that they had not yet decided what to do with the endowments of the Established Church. But he replied that before they could do anything else, they must decide that the disendowment should take place, and if they affirmed that principle they would accomplish two objects—first, they would hold out to the Irish people a pledge that England was now going to do them justice; and in the next place, they would bring that long-contested question to a practical issue, because at the next Election the question would be, "Would they or would they not ratify what had already been done by the last Parliament?" When it was said that a religious people must necessarily have a State religion, he would remind them that in the United States of America there was no such thing as a State religion, and yet no one could say that the Americans were not a religious people. There was no State religion in our colonies. On the other hand, let them look to France before the Revolution, and to the present state of Spain and Portugal. There they found a State religion existing, while the great mass of the people were profoundly irreligious. It was a question of political expediency whether the State should take charge of the religious organization of the people as of the telegraph or post office. He could understand the State maintaining an Established Church when the great majority of the people belonged to that Church; but the advantages might be overborne by the objections when the Church was that of a minority of the people. The worst enemies of both Church and State were those who, like Archbishop Laud, announced the highflying principle of a sacred union between the two. Laud had said that to touch Church property would be to render insecure all private property. He denied that. While the right of the incumbent to a life interest in his living was like that of any man to his private property, the right of the Church to its property was like that of a person enjoying a grant of an estate for a public purpose, but who would no longer enjoy that grant when the object that justified it ceased to exist. For these reasons he had resolved to give a vote at all hazards in favour of the propositions of the right hon. Member for South Lancashire; but, at the same time, he felt the question could not be solved by the present Parliament, which could only pave the way for a great national decision; and, therefore, although under ordinary circumstances such a Motion, carried by the Leader of the Opposition, would, in accordance with a most important constitutional principle, require either a resignation of the Ministry or a dissolution of Parliament, the circumstances of this case impelled a different decision. Considering that an appeal to the new constituencies must take place in the ensuing year, a dissolution now would be a perfect absurdity; and he did not think that because it would be absurd to appeal to the present constituencies it, therefore, followed that the Government should be driven to resignation. He accordingly intended, if the House should go into Committee, to declare that which the common sense of a great number of Members felt to be the only practical course—namely, that the carrying out of the Resolutions of the right hon. Member for South Lancashire must be deferred until after the new constituencies had elected a Parliament. If this proposal were adopted the Government would understand that its duty was to further the course of business, and that these Resolutions were not come to as a party vote for the purpose of turning them out of office, but as the assertion of a great principle on which the country should be asked to pronounce as early as possible.

THE SOLICITOR GENERAL said, the decision which was asked for might be regarded in two lights: either as the decision of the House, or as the decision of the two great parties of which it was composed. It might well be that the House should decide that it would not now express an opinion on the policy suggested, while at the same time the two parties should clearly disclose each its separate view. If the right hon. Member for South Lancashire (Mr. Gladstone) intended only to force each side of the House to express itself clearly upon the great question of the day, and so prepare the way for a fair trial at the next Election, he would not object; but he suggested the right hon. Gentleman was not justified in asking for a decision of the House as such. He personally would not shrink from expressing a very strong opinion on the policy indicated; but he would first endeavour to show that the House ought not to give a decision at present, but should rather support the proposition of the noble Lord the Member for King's Lynn (Lord Stanley). That Amendment only amounted to this, that the House should not come to a decision, but it did not at all say that the Government on one side or the Liberal Members on the other should not declare themselves. The plan of procedure sketched by the right hon. Member for South Lancashire clearly showed that he was of opinion that the House was not competent to determine the question, because otherwise the second and third Resolutions he had placed on the Paper would not have been needed, insomuch as they merely provided for an interregnum between the present Parliament's expression of an opinion and the final decision of the Parliament to come. If the right hon. Gentleman had rested only on the Resolutions, as he at first seemed to intend, he (the Solicitor General) would have had no hesitation in delaring the second illegal and the third unconstitutional. He suspected that when the Resolutions were first announced it was intended to rest content with them, but that the discovery of a defect had led to the conditional promise of Bills. It was now stated that the Resolutions would be incorporated in an Act of Parliament, though when the Act of Parliament would pass might be matter of considerable doubt. As to the second Resolution, he remarked that by the Irish Church Temporalities Act of 1833, 3 & 4 *Will.* IV., c. 37, Ecclesiastical Commissioners were appointed with arduous duties to perform, and those duties were imposed not for the destruction but for the regulation of the Church: he therefore maintained that if the Commissioners should fail at any time to perform those duties they could not answer a *mandamus* by pointing to the Resolutions of the House. Now, however, the House was promised a statute—a temporary Act, he presumed, until the new Parliament could pass another. It became necessary then to observe what were the terms of this second Resolution, the basis of the future Act? "That, subject to the foregoing considerations"—namely, those contained in the first Resolution. "it is expedient to prevent the creation of new personal interests by the exercise of any public patronage." How was that to be defined in an Act of Parliament? Should Bishops not be allowed to present? Should chapters and incumbents who had the right to present not be allowed to exercise it? The Resolution proceeded:—"And to confine the operations of the Ecclesiastical Commissioners of Ireland to objects of immediate necessity." What two people were likely to agree as to the meaning of the words "objects of immediate necessity?" And the Resolution concluded as follows:—"Pending the final decision of Parliament." When would that occur? It might be next year, or the year after; it was certainly an indefinite time. Did the right hon. Gentleman mean that the next House of Commons was to be bound to decide finally or not? As to the third Resolution, the right hon. Gentleman had not stated that he intended to propose an Act giving effect to it; and, under these circumstances, that Resolution would be entirely unconstitutional. Had or had not the Sovereign duties to perform, or could the Sovereign act or refrain from acting by mere caprice? If not, then there must be a duty. And what imposed that duty? Clearly the Coronation Oath, the wording of which not only defined the duty of the Sovereign, but established at the same time a compact with the people—

> "Will you to the utmost of your power," the Sovereign was asked, "maintain the laws of God, the true profession of the Gospel, and the Protestant reformed religion established by the law?" "And will you preserve unto the bishops and clergy of this realm and to the Churches"—

Obviously pointing to more than one Church—

> "committed to their charge all such rights and privileges as by law do or shall appertain unto them or any of them?"

The answers given to these questions constituted the duty of the Sovereign, and, therefore, he apprehended, the Queen was bound to appoint the Bishops, and to maintain in every way the rights and privileges of the Church. If there was a duty it was obvious that the Sovereign could not constitutionally refrain from performing the duty imposed by that Oath in consequence merely of an Address of the House of Commons, and not an Address of both Houses. The only way, he ventured to say, in which the Queen could act upon such an Address was by giving her consent to an Act of Parliament. What was it that the Queen was asked to do? To take a particular course, "with a view to the purposes aforesaid"—that is, to carry out the first proposition, "that the Established Church of Ireland should cease to exist as an Establishment." That was clearly asking the Queen to break the terms of her Coronation Oath. He knew that by a convenient doctrine it had of late years been held that if Parliament were willing to absolve the Sovereign, the Sovereign was not bound to observe the Oath. And speaking as a lawyer he did not pretend that the Queen might not agree to a disestablishing Bill; but he did most distinctly aver that the Queen ought not to be asked to do aught in derogation of the contract with Parliament and Her People contained in that Oath on a mere Address of one House. The only way that She should be required, if at all, to act should be by asking Her Majesty's consent to a Bill. Then this Resolution was also open to the objection of unpardonable vagueness. What was meant by "placing the temporalities at the disposal of Parliament?" Did the right hon. Gentleman mean that before the final decision mentioned in the second Resolution—that is, before a final decision that the Church should be disestablished — Parliament might dispose of the temporalities of the Establishment? The words were open to that construction. And what was meant by Parliament? Did the right hon. Gentleman mean the House of Commons, or both Houses, or that the temporalities were only to be disposed of by Act of Parliament? And what was meant by saying that the Queen was to give up her interest in the custody of vacant benefices? Who was to have the custody of them? Was it the House of Commons, or were Commissioners to be appointed? And if the final decision were delayed, what in the meantime was to become of the Protestant inhabitants of vacant and populous benefices? The right hon. Gentleman, with a fallacy that was very transparent, had spoken of cases, which might or might not have been accurately stated, where there were only four Protestants, or "Anglicans," as he called them. But his Resolutions would apply to the largest parishes in Ireland, and to those which were fullest of Protestants, as well as to the smallest parishes. In the case of one of those parishes becoming vacant the right hon. Gentleman insisted that there should be no appointment. How, then, were the inhabitants to be dealt with? Were they to be left for an indefinite time without the offices of the Church? Were there to be no marriages, baptisms, burials, or sacraments? The fact was those Resolutions amounted to an excommunication of Irish Protestants from all religious rites. He could not think that the House would agree to pass the second and third Resolutions; and, if not, of what utility would it be to pass the first as a bare Resolution which could not bind the next Parliament? Even if the present Government were to resign, and the right hon. Gentleman were to form a Ministry, he could not attempt to carry out these Resolutions in the present Parliament; he could not pass any Act on the subject, during the present Session. As to the first Resolution it must be considered both with regard to the present action of the House and as an intimation of a future policy; and the first thing that struck one's mind was the immense importance of the question opened. What was the full meaning of that Resolution? First, it in terms applies to disestablishment only. But did the meaning end there? Remarks had been made upon the framing of the Amendment, which was said to have been put forward for the purpose of conciliating persons holding different views. But if it were the intention of the right hon. Gentleman, as he had declared it to be, to disendow as well as to disestablish the Irish Church, why was not that policy distinctly expressed in the first Resolution? Why was the Resolution couched so as to conceal the design of disendowment, unless it were thought that some persons might be frightened by such an avowal? Assuming, then, that it was the intention of the right hon. Gentleman to disendow as well as to disestablish the Irish Church, why was it stated to be necessary to do these things now? "Because" it was said, "the Church in Ireland is a minority Church, and there is a crisis." But it had always been from the beginning, from the time of its first establishment, a minority Church, and the crisis of Fenianism spoken of had already ceased to exist. Was it necessary, in order to heal the sentimental grievance of the Irish Roman Catholics, to outrage every sentiment of the Irish Protestants? If the Irish Church were disestablished, it could only be by repealing, in great part, the Act of Union. The 5th Article had been already read at the table, but its terms could not be too strongly insisted upon. These were—

> "That it be the 5th Article of Union that the Churches of England and Ireland, as now by law established, be united into 'one Protestant Episcopal Church,' to be called 'the United Church of England and Ireland,' and that the doctrine, worship, discipline, and Government of the said United Church shall be and shall remain in full force for ever, as the same are now by law established for the Church of England; and that the continuance and preservation of the said 'United Church' as 'the Established Church of England and Ireland' shall be deemed and taken to be an essential and fundamental part of the Union; and

> that, in like manner, the doctrine, worship, discipline, and government of the Church of Scotland shall remain and be preserved as the same are now established by law, and by the Acts for the Union of the two kingdoms of England and Scotland."

These last expressions well deserved the attention of Scotch Members, for the guarantee in the case of the Scotch Church was in language identical with that of the Irish. The solemn terms employed in the Irish Act of Union were, in fact, but a reproduction of those used on the occasion of the Union with Scotland, which ran as follows :—

> "That the said Acts, with the Establishment in the said Acts contained, be and shall for ever be held and adjudged to be and observed as fundamental and essential conditions of the said Union, and shall in all times coming be taken to be, and are hereby declared to be, essential and fundamental parts of the said Articles and Union."

The words employed being the same, it would therefore be for the Scotch Members to consider what would be the natural result of the step they were now invited to take as affecting the Church of Ireland. These solemn words in the Acts of Union respectively were borrowed from that still older national compact, the first Article of Magna Charter, by which it was declared—

> "We have granted to God, and by this our present charter have confirmed, for us and our heirs for ever, that the Church of England shall be free, and shall have all her whole rights and liberties inviolable."

And when they came to the Emancipation Act, they found in the 107th section the same words used—

> "And whereas the Protestant Episcopal Church of England and Ireland, and the doctrine, discipline, and government thereof, and likewise the Protestant Presbyterian Church of Scotland, and the doctrine, discipline, and government thereof, are by the respective Acts of Union of England and Scotland, and of Great Britain and Ireland, established permanently and inviolably, &c."

He would not now discuss whether it was necessary to repeal all these solemn Acts, but it was of great importance that the House should carefully weigh what they were about to do, and that between then and next Friday night they should weigh this much more carefully than there had been time to do since the right hon. Gentleman made to the House the startling disclosure of his conversion upon this question. The House and the country had a right to more time. It would be necessary to pass another Act of Parliament (if they disendowed) to repeal the principal section of the Act of Settlement of Ireland. It was, however, right to consider the effect of disestablishing and disendowing the Irish Church. In what condition, if they did so, would they leave the Government of Ireland and the Protestants of Ireland? In order to support the right hon. Gentleman's assertion that Parliament ought immediately to disestablish the Irish Church, because it was a minority Church, they must treat Ireland as a distinct country and leave her without any Established Church at all. That might or might not be right, but, at all events, it was quite new. It was the first time such a principle had been established in these kingdoms. It had been heretofore one of the most fundamental propositions in this country that they could not have a Government that did not join a Church to it; that they could not have a Government that was not founded upon religion, and the main object of which was not to support religion. But if Parliament thus destroyed the United Church, and reduced Ireland to the position of a kingdom without an Established Church, of what Church would the Irish Protestants be members? Parliament, so far as it could, would leave them of no Church at all. They must form a new Church, neither established nor endowed but a free and voluntary Church. And if they did thus form a new and free and voluntary Church, in what relation was it to stand to the Church of England, which also must be newly formed? How were the clergy of the new Irish Church to be ordained? How was discipline to be enforced? How many Acts of Parliament with regard to discipline did the right hon. Gentleman ask the House to repeal or alter? And, considering the question not merely as religionists, but as statesmen, what social advantages did they propose by taking from Ireland so many of the resident gentry? To whom did they propose to give the property? And what would be the natural result of disestablishing the Irish Church? Was there not great danger that Parliament would next be pressed to disendow the Church of Scotland, and afterwards to disendow the Church of England? The Church of Scotland stood as he had shown in terms on the same guarantees as the Church of Ireland, and the House would surely wish to know, whether those who drew up these Resolutions in Carlton Terrace, in the absence of their own party, confined their views to Ireland? They knew what was the opinion of many of their supporters, and the House would not fail to observe how guardedly the right hon. Gentleman abstained from saying one word in favour of the Established Church of England. After the speech of that night it would be open to the right hon. Gentleman to come down, as he did the other night, and say that he had not expressed in 1868 any opinions inconsistent with the disestablishment of the Church of England, and that at that time he thought it ought to be disestablished. Taking, then, into consideration all these momentous results, was it right that the House should now decide them? He submitted that it was not. So much for the argument he had undertaken to maintain, but he must moreover take leave to say that he never would be party to a policy, the first step of which must be to leave in Ireland a Government not joined with any religion at all, and the inevitable consequences of which must be a similar Government in England. He would never consent to leave the Protestants of Ireland without an established and an endowed Church—nay, without any Church at all. He could see no excuse, much less any necessity, for such wholesale and dangerous confiscation. He did not deny that the condition of the Irish Church required great modification; but he did most heartily deny that any such portion of the united Church of England and Ireland as that which consisted of 1,000,000 of Protestants in Ireland should cease to exist. He declared that he would be no consenting party to a policy which, carried to the extent to which the right hon. Gentleman carried it, must result in a religion betrayed and a country ruined.

Mr. LAWSON said, he wished to say a few words on the legal argument they had just heard. The hon. and learned Gentleman (the Solicitor General) had told the House that the Resolutions were illegal and unconstitutional, and so they would be if they were not followed up by legislation. It was, however, the intention of his right hon. Friend (Mr. Gladstone) to carry them out in the only legal mode—namely, by a Bill, and if the House should adopt the Resolutions of his right hon. Friend it would be the duty of the Government to carry out the wishes of the House. The hon. and learned Gentleman said that one of the Resolutions was illegal. But the words of the third Resolution were in fact the very words used in the Church Temporalities Act. That Act proposed to abolish certain Archbishoprics and Bishoprics. One was then vacant, and the others were not to be filled, and the Bill set forth that Her Majesty had been pleased to place at the disposal of Parliament her interest in these sees. An objection was taken by those who were then in Opposition, because Her Majesty had not at that time sent any such Message. The question was decided by the Speaker, who said that such a Message was necessary; but that it might be made to the House at any time before the Bill became law. The course taken by his right hon. Friend (Mr. Gladstone) was thus the very course which was deliberately pursued in 1833 upon the Church Temporalities Act. The hon. and learned Gentleman next said that the Bishops and the Ecclesiastical Commissioners would be restrained from acting upon the Resolutions of the House. It was certain that the Bishops and the Ecclesiastical Commissioners would not pay the same regard to a mere Resolution of the House of Commons as to an Act of Parliament, but the object of the Resolution was that a Bill might be founded upon it to prevent the filling up of the benefices. The hon. and learned Gentleman was quite mistaken in supposing that, if these Resolutions were passed, the Protestant Churchmen of Ireland would be in a state of excommunication, that there would be no one to baptize or to bury them. The Solicitor General when he said this could not have looked into the Ecclesiastical Law, or he would have found that the most careful provision was made in this respect. If a Bishopric were not filled up, the Archbishop of the province might be called upon to make due provision for the performance of the episcopal functions; if a patron did not fill up a benefice, the Bishop made the necessary provision for the discharge of the duties. Therefore, even without an Act of Parliament, the tremendous consequences predicted by the hon. and learned Gentleman would not occur. He now proposed to say something on the general question, and the only difficulty was that there were no arguments to grapple with. No one had defended the Irish Church on its merits, and therefore it was not unreasonable to suppose that it had no merits upon which it could be defended. It was said that it was not within the moral competence of the present House of Commons to legislate on this subject. The noble Lord had therefore raised a dilatory plea, and had brought forward an Amendment, not in defence of the Irish Church, but to postpone its condemnation for another year. The noble Lord had said in effect—

> "To-morrow? oh! that's sudden:
> Spare him, spare him!"

He did not know on what this doctrine rested—that the present House of Commons was not competent to pronounce an opinion as to whether the Irish Church was to cease to exist as an Established Church. It was a convenient doctrine for the Ministry, but was it a constitutional one? The present House of Commons was as competent as any House of Commons could be to decide the question. The House had agreed to abolish flogging in the army, despite the opposition of the Government. They hoped before long to deal with the Irish and Scotch Reform Bills in such a manner that their authors would scarcely know them, as they had done with respect to the English Bill. He wanted to know why the question of the Irish Church was to be isolated from all other questions? If the Government had hitherto avoided a condemnation of their policy it was because they had no policy to be condemned. Upon this question the Ministry seemed to have no policy but that of delay. They appeared not to have made up their own minds so far as to tell the House what they themselves intended to do. Was the policy of ascendancy to be upheld by the Government or were they prepared to act on the policy which had been inaugurated in 1829? That was a question which the House of Commons were entitled to have answered. The Executive seemed very anxious to avoid responsibility in this and other matters. They had delegated the greater part of their own responsibility to Royal Commissions, and the rest they placed at the disposal of this House. The noble Lord the Secretary for Ireland in the discussion on the Motion of the hon. Member for Cork (Mr. Maguire) announced to the House that a part of the Ministerial responsibility was to grant a charter to the Catholic University. [The Earl of MAYO: To a Catholic University.] If the noble Lord wished him to substitute one article for another he would readily acquiesce, and give the Government any benefit they might derive from the change. Well, a charter to a Catholic University having been announced as a part of the Ministerial policy, in a few nights afterwards the noble Lord, replying to a question from an hon. Member, said the Government was quite in the hands of the House as regarded the Catholic University. That was the character of the policy of the Government. It was very difficulty to discover what were the arguments in support of the Irish Church Establishment. Protestant gentlemen of high rank and station had held meetings in Ireland in its favour. What did they demonstrate? That the Protestant population of Ireland possessed a sufficient amount of wealth to be able to maintain their own Church if deprived of the advantage—if an advantage it were—of State support. But the only argument adduced by these gentlemen was that of "No surrender," which was now abandoned by the noble Lord the Member for King's Lynn the Secretary of State for Foreign Affairs. It was said that his right hon. Friend the Member for South Lancashire was not in a position to bring this question forward because he had not dealt with it while he was in office; but the propriety of dealing with questions of this kind depended very much on the state of public opinion, and in respect of the Irish Church public opinion had ripened with extraordinary rapidity. Whom might they thank for that rapid ripening of public opinion? The right hon. Gentleman at the head of the Government. That right hon. Gentleman had given the House during last Session a very remarkable illustration of how rapidly, under the process of education, an opinion of one character may change and become an opinion of quite a different character. Public opinion demanded an immediate consideration of and decision upon this Irish Church question. It had been supposed that, owing to the famine and to emigration, the proportion between the numbers of the different creeds in Ireland had been greatly altered, and it was asserted that the Established Church had made a great number of converts. In 1860 when the Bill for the decennial Census was before the House, his right hon. Friend the Member for Oxford proposed that Returns of the number of members in each of the religious communions should be included in the Census of Ireland. That proposition was acceded to by the right hon. Gentleman who so ably represented the minority of Dublin, doubtless from an anxiety to arrive at the truth, and believing that the facts would turn out to be as he supposed. What was the result? By the Census Returns of 1861 it appeared that the whole of the members of the Established Church in Ireland numbered only 693,000 out of a population of 5,500,000. The House had heard a great deal of Protestant Ulster;

but what did the same Census show? That, though the Protestants and the Roman Catholics were nearly equal in Ulster, the Roman Catholics were actually in a small majority. The hon. and learned Gentleman the Solicitor General had asked, whether the disestablishment of the Irish Church would be a message of peace to Ulster? Did the hon. and learned Gentleman know that the members of the Established Church were only 20 per cent of the population of that province? In Leinster they were 12 per cent, in Munster 5 per cent, and in Connaught 4 per cent. Looking at this question either as one of justice or one of statesmanship, ought the Church Establishment to be maintained in any one of those four provinces—even in Ulster, where the members of the Established Church amounted to what was said to be the large figure of 20 per cent? After the Census of 1861 was published public attention was turned to this question, and recently almost all Roman Catholics of position in Ireland had signed a declaration denying that they were by any means indifferent to the grievance involved in the existence of the Established Church, and demanding religious equality. He regarded the question of the Establishment less as a question of money than in its bearing on the social and political relations of life in Ireland; and he maintained that those relations could not be placed on a sound basis so long as the principle of ascendancy was maintained, and exclusive privileges given to a small proportion of the population. It could not but be a grievance to Roman Catholics, in a parish where they were numbered by thousands, to see a Protestant clergyman installed as rector, and entitled to treat their priest as an intruder, although the Protestant congregation might be numbered only by tens or even less. The existence of the Establishment moreover introduced a taint of rancour into almost every question that was discussed in Ireland. In case of an election of a surgeon to a dispensary or a clerk to a union, the question always asked respecting a candidate was whether he were a Protestant or a Roman Catholic, his creed and not his fitness being regarded as the important point. The disestablishment of the Church would not only take away this taint, but would, he believed, be of incalculable advantage to the vitality of the Protestant religion. Indeed, he would not for a moment favour such a measure did he not conscientiously believe that it would have that effect. *Froude* tells us, in the 10th volume of his *History*, of a shrewd Devonshire man, named Tremayne, who was sent over by Cecil, to report on the state of Ireland. His report in substance was, "Give the Irish good laws, do not meddle with their religion, and leave their lands to themselves, and they will be good subjects." Unhappily this advice was not followed. The Establishment was associated in the minds of the people with persecution, conquest, and confiscation, and nothing could be more calculated than such a feeling to impede the spread of Protestantism. The House had been warned to beware of alienating the affections of the Protestants of Ulster; but surely this consideration was not entitled to any weight unless it could be shown that the maintenance of the Establishment was consistent with justice and expediency. If he might venture to address his Protestant fellow-countrymen he would exhort them not to embark in a struggle which could have but one result. Let them not excite the anger and animosity of rival creeds, but let them have confidence in the religion of which they were adherents, and fling aside the artificial supports which, instead of sustaining their Church, had really hindered its healthy and vigorous action. Let them be satisfied with a fair field and no favour; and for his own part he felt convinced that, when these supports were withdrawn, the Church would be maintained without difficulty by its own members, and would be in a more efficient state than it was at present. The duty of Parliament was clear, and the maxim which it was bound to adopt with reference to all religious denominations in Ireland was—

"Tros Tyriusque mihi nullo discrimine agetur."

Until we acted on that principle we could never expect loyalty and contentment to prevail among the Irish people.

Mr. GATHORNE HARDY moved the adjournment of the debate.

Motion *agreed to.*

Debate *adjourned* till *To-morrow.*

## MUTINY BILL.—CONSIDERATION.

(*Mr. Dodson, Sir John Pakington, The Judge Advocate General.*)

Bill, as amended, *considered.*

Sir JOHN PAKINGTON appealed to the noble Lord (Lord Otho Fitzgerald) not to insist on the Amendment which he had succeeded in carrying on Thursday night.

**LORD ELCHO** said, he wished to call attention to an Amendment which had been made in Committee by striking out of the Preamble the words "and the preservation of the balance of power in Europe." That Amendment was suggested by the hon. Member for Chatham (Mr. Otway), who was carried away by his enthusiasm at carrying the abolition of corporal punishment, and it was agreed to without a division. There was, at the time, a large gathering on the Opposition Benches, but the right hon. Member for South Lancashire (Mr. Gladstone) was absent — busied, he presumed — in preparing the thunder for to-night's debate. Now, the words they struck out were of long standing. In the Preamble to the Act of 1689 the words were—

> "Whereas it is judged necessary that during this time of danger several of the forces now on foot should be continued and others raised for the safety of the Kingdom, for the proper defence of the Protestant religion, and," he was sorry to add, "for the reducing of Ireland."

In 1690, the following words were added—"and for carrying on the war against France." In 1701, these words were introduced—

> "For the safety of this Kingdom, for the common defence of the Protestant religion, and for the preservation of the liberties of Europe."

These words were repeated in the second year of the reign of Queen Ann; but in the Act of 1 *Geo*. I., (1714), the words used were—

> "For the guard of His Majesty's Royal person, for the safety of this Kingdom, and the suppressing of the present rebellion."

The passage to which he now wished particularly to call attention first occurred in the Act of 1727, the Preamble to which declared—

> "That this army is raised for the safety of this Kingdom, the defence of the possessions of the Crown of Great Britain, and the preservation of the balance of power in Europe."

These words, therefore, could claim a prescription from 1727 to the present year, and to a certain extent were illustrative of the history of the country. Under these circumstances there certainly ought to be good grounds adduced for striking them out. The only reason brought forward last year by the hon. Member for Chatham was, that the words were not true, and that the army was not maintained for the preservation of the balance of power in Europe. Now he held the contrary opinion. He gave no conventional interpretation to the phrase "balance of power," but supposed that it meant the question of European police and national defence. Why did our army go to the Crimea, if not to maintain the balance of power? More recently we were very nearly going to war in favour of Denmark, to preserve the balance of power. Questions might arise with regard to Egypt and Belgium, that might make it the duty and interest of this country to interfere. He did not believe that the day would come again when England would play so prominent a part as she had formerly done in foreign politics; but, at the same time, he was not prepared to admit that 30,000,000 of Englishmen were to have no voice in Europe, and that our armies were to have no influence whatever in the affairs of the Continent. This might be a mere matter of sentiment; but he felt certain that Lord Palmerston, had he been alive, would have resisted the Motion which was made on Friday night. As he felt strongly on this subject, and wished to give the House an opportunity of re-considering the determination they then came to, he begged to move the re-insertion in the Preamble of the words to which he had referred.

**COLONEL NORTH** seconded the Motion, remarking that the Opposition had the other night, in the absence of their Leader, run riot. It was with the greatest difficulty that the late Judge Advocate General had obtained a hearing; and as for the present one, he had no chance.

Amendment proposed, in the Preamble, in line 7, after the word "Crown," to insert the words "and the preservation of the balance of power in Europe."—(*Lord Elcho.*)

**SIR JOHN PAKINGTON** remarked that the words had been in the Mutiny Act for so long a time, and meant so very little, that he was surprised to find that the hon. Member for Chatham thought it worth his while to strike them out. At the same time, he was still more astonished that his noble Friend should think it worth his while to re-insert them.

Question, "That those words be there inserted," put, and *negatived.*

**SIR JOHN PAKINGTON** moved the insertion of words empowering the military authorities in Ireland to billet soldiers in private houses.

**THE MARQUESS OF HARTINGTON** remarked, that, as the right hon. Gentleman had, on a former occasion, admitted that the practice of billeting soldiers in private houses ought not to be resorted to, except in the most pressing emergency, he trusted the Motion would not be objected to, as it was impossible for the military authorities in Ireland on a very short notice to make the arrangements which would be necessary in the event of a change in the existing state of things.

LORD OTHO FITZGERALD said, after the remarks of his noble Friend, he would not press the matter to a division. But he hoped the right hon. Baronet would take the question into consideration, otherwise he would certainly move the Amendment next year.

Amendment *agreed to.*

Bill to be read the third time *To-morrow.*

### MARINE MUTINY BILL.—COMMITTEE.

(*Mr. Dodson, Mr. Corry, Lord Henry Lennox.*)

Order for Committee read.

In reply to Mr. AYRTON,

LORD HENRY LENNOX said, he assented to the introduction of Amendments similar to that made in the Mutiny Bill, and if the hon. Member for Chatham (Mr. Otway) were not in his place to move the omission of the words in reference to corporal punishment, he (Lord Henry Lennox) would move the Amendment for him.

Bill *considered* in Committee.

(In the Committee.)

MR. OTWAY moved the following Amendments, which were *agreed to:*—

Clause 27, line 36, leave out from "any" to "any marine to corporal punishment," in lines 39 and 40, inclusive, and insert "no court martial shall for any offence whatever committed in time of peace, within the Queen's dominions, have power to sentence any marine to corporal punishment." Lines 44 and 45, leave out "disgraceful conduct or any breach of the Articles of War."

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow.*

### MARRIAGES (FRAMPTON MANSEL) BILL.

On Motion of Sir JAMES FERGUSSON, Bill to render valid Marriages heretofore solemnised in the Chapel of Ease of Frampton Mansel, in the parish of Sapperton, in the county of Gloucester, *ordered* to be brought in by Sir JAMES FERGUSSON and Mr. Secretary GATHORNE HARDY.

Bill *presented,* and read the first time. [Bill 79.]

### PRISONS (COMPENSATION TO OFFICERS) BILL.

On Motion of Sir JAMES FERGUSSON, Bill to provide Compensation to Officers of certain discontinued Prisons, *ordered* to be brought in by Sir JAMES FERGUSSON and Mr. Secretary GATHORNE HARDY.

Bill *presented,* and read the first time. [Bill 80.]

House adjourned at half after Twelve o'clock.

## HOUSE OF LORDS,

*Tuesday, March* 31, 1868.

MINUTES.]—PUBLIC BILLS—*First Reading*—Marine Mutiny *; Mutiny *; Inclosure * (61).

*Second Reading* — (£6,000,000) Consolidated Fund *; London Coal and Wine Duties Continuance * (59).

*Committee*—Indian Railway Companies * (63).

*Third Reading*—Railways (Extension of Time) * (36).

### EDUCATION—ANSWER TO ADDRESS.

The QUEEN's Answer to the Address of the 23rd Instant, *reported.*

### BUSINESS OF THE HOUSE—REPORT OF SELECT COMMITTEE.

RESOLUTION.

THE EARL OF MALMESBURY, in calling attention to the Report of the Select Committee on "the Business of the House," said, their Lordships would recollect that last year a noble Earl (the Earl of Shaftesbury) brought under their consideration the necessity of appointing a Select Committee to investigate two or three points of some importance with reference to carrying on the Business of the House in an improved form. The first point to which the Committee directed its attention was whether the House ought to meet at an earlier hour than it now did; but, on consideration, it was found that it would be very inconvenient and unfair to the Lord Chancellor, who probably had been sitting all the morning for six hours hearing appeals, to call upon him at once to take his place on the Woolsack and enter upon the Public Business of the House without any rest or any interval whatever. The Committee had, therefore, decided not to recommend any change in the present arrangement in that respect. The question of the use of proxies, which had lately attracted some notice, next engaged the Committee's attention. The privilege enjoyed by Peers, of being represented in the House by proxies when unable to attend personally, was a very ancient and historical one, it had become prescriptive, and belonged to the Estate of the Peerage in the same way as the privilege of sending their proxies to the other House belonged to the Estate of the Commons—for the Members of the other House were in reality the proxies of the Estate of the Commons. In the primæval days when our Constitution originated, the Estates of the Realm were three, or, as some said, two. First, there was the Church, which was represented by the Archbishops and Bishops, and next the lay Peers. Those two Estates, not being very numerous, could easily meet under the same roof. But of course that was not the case with the Commons, who were too multitudinous to assemble in one place, and they according sent to Parliament their representatives, or, in other words, their proxies. No doubt, then, the Committee had stated correctly that it was a privilege inherent in the Peers to send their proxies to that House in the same way as the Commons sent the proxies of their Estate to the House of Commons. The Committee, however, considered whether any change should be made in regard to that practice. It was clear that the privilege of the Peers to use proxies could only be put an end to by Act of Parliament; but there were abundant precedents to show that the House itself could, by its own Orders, regulate the mode of exercising the privilege. For instance, in the reign of Charles II. on an occasion when proxies were used, the Duke of Buckingham, who was not very scrupulous, brought more than twenty proxies in his pocket, and an Order was then made that no Peer should hold more than two proxies. It would be seen, moreover, by the Report of the Select Committee, that no Peer could hold more than two proxies; that they could not be used in Committee, nor in judicial proceedings; and that they must be entered before three o'clock of the day on which they were to be used. These things showed that the House could by its own Orders, regulate the use of proxies. The inconvenience attending the use of proxies was much discussed in the Select Committee; and although there was some difference of opinion as to how the privilege should be dealt with, it was thought that their Lordships' House would be more popular, and would enjoy more confidence with the country in respect to its decisions, if that privilege were waived, inasmuch as those who were not present at the debates were not supposed to have a full knowledge of the points on which they would have to vote. On the other hand, there were many Members of their Lordships' House who, though prevented from being present in the House by illness or through employment under the Crown, were yet perfectly cognizant of what was going on there, and as capable of giving an opinion on subjects brought before Parliament, as if they were present and heard the debates. Such a case it would be easy to find at the present moment in the late Prime Minister, whom nobody could say was not as capable of giving his opinion on a political question as if he were then sitting in that House. The same remark might apply to some of our Ambassadors at Foreign Courts. The Committee, however, though divided in opinion, decided that, on the whole, it would be preferable to put an end to the use of proxies, and that an Order of the House should be adopted to that effect. They further recommended that, to prevent that Order from being lightly suspended, twice the usual length of notice should be given of any Motion for its suspension. The Committee also recommended that Notices of Questions should be placed on the Minutes and not given privately, as was now often done; but, at the same time, they did not propose to prevent Questions as to sudden or pressing affairs being put to Ministers without notice. With respect to the appointment of Committees on Private Bills, the Select Committee recommended that the Committee of Selection should exercise its discretion as to calling upon Peers to serve, although they might be absent from the House.

*Moved*, "To agree to the Report of the Select Committee on Business of the House."—(*The Lord Privy Seal.*)

THE EARL OF CARNARVON said, that his noble Friend's argument went in one way and his vote in another, for he (the Lord Privy Seal) argued in favour of proxies, while he concluded by asking their Lordships to vote their abandonment. There would not, he thought, be much difference of opinion among their Lordships on this subject. His noble Friend said the Committee had come to a resolution to abandon proxies, because the use of them was not popular out-of-doors. But his impression was that the feeling of the Committee had so not much reference to the question of their being popular or not as that proxies were a source of weakness rather than strength, and that they were a form of proceeding that could never be used in any circumstances of real difficulty or emergency. It would be impossible for their Lordships to pass any important measure simply and solely by the votes of the absentees — as impossible as for the lay Lords to interfere with the judicial proceedings of the House. That was not a time when they should lean upon fictitious support, and the Committee had therefore, in his opinion, wisely determined to abolish the use of proxies. The whole character and use of proxies had undergone a great change. Formerly proxies could not be used except under Royal licence, which was granted to Peers who were absent engaged in the discharge of high and important State duties. Now they did not depend on the Royal consent; but were exercised as the privilege of individual Peers, who used them as they thought best for their own convenience. In the same way the difficulties of communication between the different parts of the kingdom were another ground on which proxies might have been justified in other days. It appeared to him, however, that all the reasons that formerly existed in favour of the use of proxies had disappeared. He should perhaps have preferred to see proxies more definitely abandoned; but since, if the present Motion was carried, their Lordships could never revert to the use of them, he for one should be quite content to accept the Motion. There was another matter which had occupied the attention of the Committee, as it had also excited a good deal of attention out-of-doors—namely, the numbers of Peers present who were supposed to be necessary for the transaction of Business. It had been said that five or six Peers often sat to pass or reject measures of the utmost importance. He had attended that House as often as almost anyone, and he thought he might safely say that the number of Peers present at the thinnest time of attendance was on any important question rarely below twenty. If so a quorum probably ought not to be less than twenty, and he hardly saw that any great practical importance would be derived from establishing a quorum unless they fixed the number at, or nearly at, forty, the same as the House of Commons. The attendance upon their Lordships' House varied much; but he did not believe that it was an exaggerated statement if he said that the average attendance before Easter was between sixty and seventy, and that after Easter it was considerably more. A certain number of Peers no doubt failed altogether to attend, some from age and others from illness. Others could not plead equally valid causes of absence. Perhaps their absence did not matter so much as far as general legislation was concerned; but the House had a right to complain of a want of proper attendance so far as Private Bill legislation was concerned. His noble Friend the Chairman of Committees was often placed in an invidious position in being obliged to go about canvassing their Lordships for Peers to sit on Private Bill Committees. The Peers also who regularly attended had a right to complain on this score, because they were called upon to take more than their fair share of Committee work. The noble Earl (Earl Granville) proposed in the Committee that the House should adopt a system similar to that in the House of Commons, where a circular letter was sent round to every Member who was expected to take part in Private Business, asking him at what period of the Session his attendance would be most convenient to himself. It appeared from evidence that this had answered very well in the House of Commons, and the noble Earl proposed the adoption of a similar course. It was agreed to; but at a subsequent meeting the paragraph was either struck out or expressed in a different and ambiguous sense. And on this point he must observe that the Minutes of the Committee were reported in a most unsatisfactory and confused manner, and it was difficult for even those who were present to discriminate the precise course of proceeding. With respect to their Lordships' hour of meeting, the Committee had at first decided in favour of meeting at the hour of a quarter past four, and the Lord Chancellor, then on the Woolsack, stated that this hour would not be inconvenient to him. Subsequently that decision was reversed by a majority of 1. He did not complain of this; the Committee were very nearly equally divided, and though the re-consideration of the question was brought on at an inconvenient time when the attendance of some Peers was impossible, there was no surprise; but he greatly regretted that the first decision had not been adhered to, as he believed the change would have been advantageous. He, for one, could not consent to accept the Resolution with regard to the hour of meeting as final, and he had the authority of Lord Shaftesbury, who first brought the subject forward, and had made it peculiarly his own, for saying that he attached so much importance to the change of hour that after Easter, he would give the House an opportunity of re-considering what he deemed to be the unfortunate decision of the Committee.

**THE EARL OF ELLENBOROUGH** said, he thought the best course would have been to propose the adoption of the recommendation of the Committee *seriatim*.

**LORD REDESDALE** said, that although he did not see the necessity of some of the changes proposed, he was willing to accept the conclusions of the Committee. Some of their recommendations—for instance, the retention of the present hour of meeting—did not require formal adoption. He did not think it was expedient to make any change in the nomination of Committees for Private Business, for he believed the present system worked satisfactorily. The Committee had suggested that Peers not in attendance in the House should be nominated on such Committees, and perhaps on some occasions it might be desirable to exercise greater pressure than hitherto in this direction. As to the time of assembling, the Committee in the first instance decided by a majority of 1 in favour of meeting at half-past four; one of the Members, however, who held a contrary opinion, was accidentally absent, and on the question being re-considered, there was a majority of 1 against any alteration. For his own part, he could see no advantage in meeting earlier, and it would, moreover, be inconvenient to the noble and learned Lord on the Woolsack, as also to Peers engaged on Committees. With respect to proxies, he thought the prejudice against them unreasonable, and that the system was a more sensible one than that which would necessarily be substituted—namely, pairing, as was done in the House of Commons. At a late period of the year an announcement was often made that two Members of the other House had paired for the remainder of the Session; yet, in many instances, those Gentlemen might have voted on the same side. It was surely better for an absent Peer to intrust a proxy to a person in whom he reposed confidence, so that his vote might not be lost on any important occasion. Since, however, the majority of the Committee were opposed to the use of proxies, he should not oppose the Resolution.

**LORD LYVEDEN** said, although he would admit that something might be said in favour of proxies, public opinion was so decidedly adverse to them that their Lordships would do well to remove the misapprehensions to which they gave rise by abandoning the use of them. Many persons supposed that proxies might be tendered on any occasion, whether Peers were present or not, and that the Ministry of the day held a great number, which they could use at any time. The public would be disabused of these notions were proxies discontinued; and as they were seldom resorted to, the change was an advisable one. The recommendation of the Committee, that Questions should not be put without Notice, seemed to him a very good one; for a Question was sometimes put shortly after five o'clock, when Peers who would have been interested in the subject had not arrived, and only the Ministers were previously acquainted with its object. Moreover, if Notice were given, and if — as often happened — the Question gave rise to discussion, noble Lords would have the opportunity of directing their attention to the matter beforehand. As to the nomination by the Committee of Selection of absent Peers, he thought it would be well to adopt a distinct Resolution on the subject, as this would give it more weight. He hoped that, on a future occasion, the noble Earl the Lord Privy Seal would propose Resolutions carrying into effect those recommendations of the Committee which he wished to be adopted.

**EARL STANHOPE** said, he gave credit to the noble Lord the Chairman of Committees for consistency, for he had both in the Committee and on this occasion objected to the discontinuance of proxies; but while he (Earl Stanhope) admitted his consistency, he was certainly not convinced by his arguments. His noble Friend had maintained the system of proxies chiefly on the ground that the system of pairing was equally open to exception. But there was this important difference—that the addition of a certain number of pairs to both the majority and the minority made no difference in the result, whereas the use of proxies might lead to a decision the reverse of that which would otherwise have been given. Indeed, this happened on the last occasion when proxies were used—namely, on the Motion of the noble Earl (the Earl of

Malmesbury) himself on the affairs of Denmark and Germany. The majority of the Peers present were satisfied with the defence of the Government of the day; but proxies being called for—most unwisely, in his judgment—by the Prime Minister of that day, the majority of the Peers absent decided the division against the Government. It was enough of itself to discredit the system of proxies that when a noble Earl (Earl Russell) was put on his personal defence, and when that defence was deemed satisfactory to the majority of those who heard it, an appeal should be made by another noble Earl (the Earl of Derby) to those Peers who had not heard it, and could not hear it. Passing from the subject of proxies, he (Earl Stanhope) did not think that any Resolution should now be passed confirming the recommendation of the Committee, and approving the present hour of meeting. They were told by his noble Friend near him (the Earl of Carnarvon) that Lord Shaftesbury, who was now absent from town, intended to submit a Resolution to the effect that the House should meet at a quarter past four instead of five. Assuming, for the sake of argument, that Lord Shaftesbury would carry his proposition, would not their Lordships stultify themselves if they were to come to a vote on the subject now? He thought it would be well that they should not at that moment adopt any Resolution by which their future discretion might be fettered. He wished to add a word of merely verbal criticism. As he had already stated, he fully approved the proposed Standing Order with respect to proxies. The noble Earl had, however, taken the very words of the Committee, and embodied them in the Standing Order—

> "That the Practice of calling for Proxies on a Division should be discontinued, and, to prevent the Order being lightly suspended, that Twice the usual length of Notice shall be given of any Motion for its Suspension."

Now, when a Committee made a Report they properly gave reasons for their conclusions; but when the House passed an Order it was not its practice to do so. He would, therefore, take the liberty at the proper time to move the omission of the words "to prevent this Order being lightly suspended."

EARL DE GREY agreed with the noble Lord the Chairman of Committees, that there was no necessity for their Lordships to give a formal sanction to most of the recommendations of the Committee, except that relating to the discontinuance of proxies. But with regard to attendance on Private Business, it appeared to him absolutely necessary to have a definite Resolution of the House. It was very desirable that the House should pass a Resolution calling on those Peers who were in the habit of absenting themselves from Private Bill Committees to attend to their duties. Speaking for himself, and, as far as he could judge, for many other Members of the Committee, a strong feeling was entertained by many that it was extremely desirable that some measure should be taken to assimilate the practice of their Lordships' House to that of the other House of Parliament on this subject. He trusted the noble Earl opposite would take the matter into consideration, and propose a definite Resolution.

THE MARQUESS OF BATH said, that he was in favour of doing away with the practice of using proxies, for the simple reason that there would be great practical difficulties in employing them in those cases in which alone there would be any need of them. With regard to the 7th Paragraph—he spoke with great deference to the noble Lord the Chairman of Committees—but he thought the Committee of Selection had the power to place on Private Bill Committees any Peer, whether in London or not, and all that would be required would be a strong opinion on the part of the House to enable them to exercise that power with effect. There was a case in which a noble Lord had been committed to the custody of the Usher of the Black Rod for not having attended a Committee to which he had been appointed. There could be no question, therefore, as to the power which the Committee of Selection possessed. With regard to the alteration of the hour of meeting, it was true that it was carried in the Select Committee by a narrow majority in the first instance; but noble Lords who complained that the decision had been reversed would recollect that another important Committee was sitting at the time, upon which he and Lord Stradbroke were serving, and that if they had been able to go from one Committee Room to another they would have voted against any change. The noble Earl (the Earl of Carnarvon) had said that Lord Shaftesbury was about coming home, and that he intended to propose that the hour of meeting should be changed. But were the House of Lords to be dependent on Lord Shaftesbury's presence or absence before expressing an opinion on a matter of public business? Lord Shaftesbury was a very great man, but he was scarcely so great a man as all that.

LORD STANLEY OF ALDERLEY said, he saw no necessity for retaining the system of the use of proxies. As for compelling the attendance of Peers on Committees, that might be done; but it would not be so easy to secure the proper discharge of the duties of the Committees. One man might lead a horse to the water, but twenty could not force him to drink. He wished to call attention to the inconvenient mode in which these Reports were drawn up. With regard to different paragraphs it was extremely difficult to make out what was done. He hoped, therefore, directions would be given that the draught Report should appear with the proceedings.

THE MARQUESS OF CLANRICARDE said, with regard to putting Questions without Notice, he had sat long in the House, and he could say that great public convenience had sometimes arisen from Peers being permitted to put Questions to Ministers of which they had given either private notice or no notice, and he hoped their Lordships would not altogether put an end to that practice. With regard to the attendance of Peers on Private Bill Committees, he thought it would be unwise to come to any Resolution that it might be found difficult to enforce. It should, moreover, be remembered that it was the House that appointed the Committees, and any noble Lord who failed to attend must render his account, not to the five Lords who formed the Committee of Selection, but to the House. He was not aware that there was any necessity for adopting any system of compulsory attendance, for he understood there was no difficulty in securing a sufficient number of Peers for the transaction of business. He thought, however, they might adopt the recommendation of the Committee on this subject.

THE DUKE OF CLEVELAND agreed with the noble Marquess (the Marquess of Clanricarde) that it might be found highly inconvenient if it should be absolutely prohibited that Questions should be put without Notice; but then they ought to adopt the practice of the House of Commons and prevent discussion being raised upon them. There might be not only great inconvenience but also great impropriety if the system of putting Questions without Notice were used for the purpose of raising discussions which nobody could have anticipated.

EARL RUSSELL agreed with the noble Duke that there was a great difference between a noble Lord putting without Notice a Question to which he merely wished for an answer, and a Question which led to a debate. There was an inconvenience in the latter coming on without Notice; but it seemed to him better not to adopt any Resolution on the subject. He thought they should confine themselves on that occasion to adopting the Resolution with regard to proxies.

THE EARL OF HARROWBY said, their Lordships had not too many opportunities of showing that interest in public affairs which it was their privilege to show, and it was undesirable to diminish the importance of this House by diminishing the number of those opportunities; and there was something gained by allowing Members of that House to do things irregularly which would be attended with great inconvenience if done in the House of Commons. Their Lordships were a smaller body than the House of Commons, and there was much less pressure on their time, and therefore he thought they might be allowed a large latitude in the transaction of their business. He thought that every facility should be given for raising questions in this House, and that they should trust to the good sense of noble Lords not to abuse the privilege.

LORD REDESDALE thought that a Resolution might be too stringent in its application; but the Report laid before the House might be agreed to as a guide and direction—for it went no further. He repeated his opinion that the system of proxies was infinitely more sensible than the system of pairing; and it was a mistake to suppose that the result of a division could not be affected by the latter practice. He had known cases in which a Member having returned before the time of his pair had expired, was obliged to leave the House on a division, even when he believed that his pair, if present, would have gone into the same Lobby.

THE EARL OF MALMESBURY said, the general wish of their Lordships seemed to be that the Report of the Committee should be put in a more substantive form, and he would therefore undertake, on a future day, to move a series of Resolutions embodying it. At the same time, he should ask their Lordships to adopt at once the Standing Order with reference to proxies.

Motion (by Leave of the House) *withdrawn.*

### PROXIES—RESOLUTION.

*Resolved,* That the following Order be added to the Roll of Standing Orders:

"Standing Order XXXII*a*. Ordered, That the Practice of calling for Proxies on a Division shall be discontinued, and that Two Days' Notice be given of any Motion for the Suspension of this Standing Order."

House adjourned at half past Six o'clock, to Thursday next, half past Ten o'clock.

## HOUSE OF COMMONS,

*Tuesday, March* 31, 1868.

MINUTES.] — Public Bills — *Considered as amended*—Marine Mutiny.

*Third Reading* — Mutiny; Marine Mutiny; Perth and Brechin Provisional Orders Confirmation* [74], and *passed.*

## DISMISSAL OF AN INSPECTOR OF THE SURREY CONSTABULARY.

### QUESTION.

Mr. ONSLOW said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been called to the case of Inspector Miller, of the Surrey County Constabulary, lately stationed at Reigate, who has been dismissed the Force, after a long and meritorious service, for subscribing to a newspaper termed the *Police Service Advertiser*. And whether, in his opinion, the alleged ground of dismissal is justifiable; if not justifiable, whether he will recommend the re-instatement of Inspector Miller?

Mr. GATHORNE HARDY said, in reply, that he had no authority whatever over the County Constabulary, which was placed under the Magistrates of the County. It appeared, from inquiries made in consequence of the Question of the hon. Gentleman, that a man named Miller was dismissed by the Chief Constable of the Surrey Constabulary, who had absolute power to dismiss him, under, of course, the lawful authority of the Magistrates. The Justices, however, he understood, were about to investigate the case.

## MUTINY BILL.—THIRD READING.

(*Mr. Dodson, Sir John Pakington, The Judge Advocate General.*)

Order for Third Reading read.

Mr. BOUVERIE said, he had to call the attention of the House to a proceeding which he believed to be of a somewhat irregular and unprecedented character. It was the ancient rule in that House that on Tuesdays Notices of Motion should have precedence of the Orders of the Day. It was, of course, competent for the House at any time, after due notice, to suspend the Standing Orders, and make any change in that rule: but to the great astonishment of himself and other Members, there appeared upon the Notice Paper of that day a Notice that certain Orders of the Day were to have precedence over Notices of Motion—namely, the Mutiny Bill and the Marine Mutiny Bill. Although, on looking at the Votes for a record of last night's proceedings, he found that it was ordered that these Bills should be forwarded a stage at half-past four o'clock that day; yet he did not think that any public notice had been taken of the matter last night. He had been present himself when these Bills had been furthered a stage, and he had heard nothing of such an unusual Order, nor as far as he was aware, had any intimation been given of what was being done. He wished, therefore, to ask the right hon. Gentleman the Secretary for War what had induced him to adopt this most irregular and unprecedented course with regard to these Bills. He was not aware that there was any public ground for this irregularity. There was no reason why that House should consult the convenience of others, and suspend their Standing Orders in order that these Bills might be advanced a stage that night in "another place." If the noble Lords in "another place" had so much to do, and had such a large amount of business to get through that they were obliged to have an earlier holiday for repose after their exertions, they should suspend their own Standing Orders, and let the irregularity in the proceedings take place in their House. At any rate, the Standing Orders of the House of Commons should not be suspended without notice. The course which had been adopted with regard to these Bills was in direct violation of the rights of independent Members, who were already sufficiently hard pressed by the rules of the House, and who experienced considerable difficulty in bringing on the Motions in which they were interested. If this precedent were to be followed, and proceedings like those he complained of were to become the practice, the House might bid adieu to Motions brought forward by independent Members. He begged to ask the right hon. Gentleman the Secretary for War for an Answer to the Question he had just put to him; or perhaps he had better ask Mr. Speaker under what circumstances the arrangement had been agreed to?

Mr. SPEAKER: The right hon. Gentleman has called this proceeding irregular and unprecedented; but I have to inform him that there are very many precedents for the course that has been adopted, and therefore it cannot be irregular. There are some occasions when public convenience is promoted by the House permitting Bills of this sort to be read on their third stage at an early hour of the evening, and in accordance with many precedents that course has been taken in the present instance, under an Order made by the House last night. The right hon. Gentleman says that the Standing Orders of the House have been suspended in order to permit this Bill to be read a third time: but I am sure that, with his knowledge of the forms of the House, he must be aware that there are no Standing Orders on the subject to suspend. It is for the House—if it thinks that it will conduce to public convenience and promote Public Business—to make an Order of this kind; and I would ask the right hon. Gentleman and the House if they ever knew any inconvenience arise from the adoption of the course that has been taken in the present instance with regard to these Bills. This is no question of interference with the rights of private Members. Had it not been for the observations of the right hon. Gentleman, the two Bills would probably have been disposed of by this time. My Answer to the Question of the right hon. Gentleman is, that the course taken with regard to these Bills is quite in conformity with precedent, and only for the promotion of the despatch of Public Business.

Bill read the third time, and *passed.*

### MARINE MUTINY BILL.

(*Mr. Dodson, Mr. Corry, Lord Henry Lennox.*)

CONSIDERATION. THIRD READING.

Order for Consideration, as amended, read.

Mr. BOUVERIE said, of course he had no desire to question the accuracy of so high an authority as Mr. Speaker upon the point to which he had just referred or to enter into any controversy with him; but he should like to know from the right hon. Gentleman the Secretary for War his reason for taking these Bills out of the ordinary course.

Sir JOHN PAKINGTON said, he had no difficulty in replying to the Question of the hon. Member. In consequence of these Bills having been brought forward at a later period than usual, it became necessary to send them up to the other House of Parliament as soon as possible. It having been intimated to him last night that there would be nothing irregular in reading the Bills a third time at an early hour, he had adopted that course with the sanction of the House.

Mr. OTWAY said, he wished to say one word with reference to what fell from the right hon. Gentleman the Secretary of State for War. He had had occasion to notice what seemed to be a considerable irregularity. Three Amendments had been moved in Committee, and in the records of their proceedings only one of these Amendments was taken notice of. Having made inquiries upon the subject, he was informed that it was not usual to put upon the record of their proceedings any Amendment upon which divisions had not been taken. The very next day, however, after he had received that information, he discovered that an Amendment upon which a division had not been taken was recorded, while two other Amendments which had been moved under precisely similar circumstances had been altogether omitted. This was an irregularity of no unimportant character. For instance, the noble Lord the Member for Kildare (Lord Otho Fitzgerald) moved an Amendment in Committee upon the Mutiny Bill; but of that Amendment no notice was taken, and yet last night that very Amendment was rescinded, and the words which originally stood in the Mutiny Bill were re-inserted.

Mr. SPEAKER: My answer to the Question of the hon. Member is, that those Amendments only upon which divisions take place are entered on the Votes. If every verbal Amendment, and everything which occurs, were ordered to be entered on the Votes, it would be almost impossible to print them.

Lord HENRY LENNOX desired to move, with the permission of the House, the third reading of the Marine Mutiny Bill, so that it might at once be sent to the House of Lords.

Motion *agreed to.*

Bill read the third time, and *passed.*

## INDIA—IRRIGATION.—POSTPONEMENT OF MOTION.

Mr. KINNAIRD said, that, in deference to the wishes of the House, he would postpone his Motion respecting Irrigation in India to the 28th of April. But he deeply regretted being called upon for the second time to defer the consideration of a question which affected a population not of a few millions only, but of 150,000,000 of our fellow-subjects, of whom, too, mainly through the neglect of irrigation, in one district alone, and in the course of only a few months, according to official Returns, nearly 1,000,000 of souls had recently perished of famine.

## ESTABLISHED CHURCH (IRELAND).

### MOTION FOR A COMMITTEE.

### ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [30th March],

> "That this House will immediately resolve itself into a Committee to consider the said Acts," —(*Mr. Gladstone:*)

And which Amendment was,

> To leave out from the word "House" to the end of the Question, in order to add the words "while admitting that considerable modifications in the temporalities of the United Church in Ireland may, after the pending inquiry, appear to be expedient, is of opinion that any proposition tending to the disestablishment or disendowment of that Church ought to be reserved for the decision of a new Parliament,"—(*Lord Stanley,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

Mr. GATHORNE HARDY: There is no Member of this House who is more inclined to rate highly the gravity of the question now occupying our attention than I am. I quite admit that it is one of those questions which long ago it was thought must engage the attention of the House at no distant period; and, though we take exception to the particular period at which it is brought before the House, it is a question which we are prepared to meet on any occasion, and under any circumstances. It has been brought before the House in a speech of great power and eloquence, and by one who, from his position as a Leader in this House, and from his position in the country as a man of the greatest ability, has recommended the subject with additional force to the consideration, not only of the House, but of the country. But I cannot help observing that this question, which is of such momentous gravity, has been treated by hon. Gentlemen opposite, and by those who support the right hon. Gentleman, not merely as a question affecting the Church of Ireland, but with a degree of bitterness and acrimony against the Ministry who sit on these Benches which makes it at once an attack upon the Church of Ireland and upon the Ministry; and not only have we met with this reception in front, but even on our flank we have been assailed with incredible hostility. I will for a moment speak upon the subject of the Ministry that is attacked, and, if I am permitted, of myself, who have been personally assailed. I feel that it is one of the highest honours that I ever achieved to have sate in the same Cabinet with my noble Friend (Viscount Cranborne). No one valued more the resources of the genius, eloquence, and power which he brought to the Ministry of which he formed a part; and I acted with him with cordiality and sincerity in all the transactions of the Government. The noble Lord, in the position he has assumed in this House—that of speaking as the censor of the Ministry, and of attacking them one by one for the course they thought proper to pursue last year—has forgotten, I think, how far he himself proceeded in the path they followed. He has apparently forgotten that the course he finally took was not taken on account of the lowering of the franchise to the point to which it was lowered, but on account of the want, as he thought, of sufficient checks to moderate and to balance that enfranchisement; and he forgets, moreover, that we, entertaining the same view as he himself held, were defeated on it, not merely by those who sit opposite, but by the overwhelming feeling of Gentlemen who sat behind the Government. I do not mean to say that the Reform Bill of last year is in everything such as I could have wished for if I could have entirely controlled it; but I should like to know where is the man who, sitting, I will not say in the Cabinet, but in any Assembly whatever, has not been compelled in some respects to compromise his own opinions and give way to the feeling of those with whom he sits in order that they may all act together with uniformity and unity. That I consider is all I have done. I have sacrificed no principle. ["Oh, oh!"] I say I sacrificed no principle. I consider that the question of Reform brought before the House was a question, not of principle, but of degree. We had been parties to lowering the franchise, we had assented to the second reading of the Bill introduced in 1860 by the other side of the House, which effected that lowering to a great extent, and we had assented to the lowering of the franchise in the Bill of 1866; and I say that it became evident—not on account of disturbance out-of-doors, but on account of the Parliamentary attitude that the question had assumed—that it became absolutely necessary to deal with and, if possible, settle it. I say it was a question of degree and not of principle. I should not have said a word about myself if my noble Friend had not brought my name forward somewhat unnecessarily. In fact, my noble Friend took especial pains, as it appeared to me, to compliment my sincerity at the expense of my pliability. But I trust that, as concerns principle, I shall be found as ready to maintain those principles in which we both agree as he himself has been. Let me for one moment, in passing, advert to the course my noble Friend has thought proper to take this year. My noble Friend has been the firm consistent advocate of church rates; but this year he has taken a different view, and this suddenly — unexpected no doubt by those sitting near him, and certainly by those who have hitherto acted with him. Far be it from me to say that this was from any want of principle. I believe that he acted from a patriotic feeling, and from that principle for which I hope he will give credit to others. I am sorry to have detained the House so long on this matter, and will now come to the question before the House. We are called on at a special and peculiar moment to go into Committee upon a question of the greatest possible importance, and one that cannot be settled or terminated—I will not say in this Parliament, nor probably in the next; nor for many years to come, in my opinion. This is met by an Amendment on the part of my noble Friend, to which great exception has been taken. I will for a moment take notice of a remark that has been made on that Amendment. My noble Friend claimed for himself freedom of acting in future Sessions on this great question, without expressing his full opinion now; but, at the same time, he said that he wished to make it manifest by the earlier part of his Resolution that the present course of the Government was not adopted from mere motives of obstruction, from no conviction that there was nothing to redress, or nothing to reform in the Irish Church, for an admission to the contrary was made by the issuing of the Commission now sitting, which may be taken as an acknowledgment that there are reforms to be effected and Amendments to be made; and though some wish to go far beyond what I should desire, yet many, who think as I do, acknowledge, as I have already done before this time, that there are evils within the Church; that, as has been said by many of her Bishops, many of her clergy, and many of her attached friends, with a view to strengthening and giving more effect to the administration of that Church great reforms, great alterations, and, if I may, without offence to Gentlemen opposite, use the word, great "modifications" are needed. It would have been idle and absurd, after having assented to a Commission upon the Irish Church, if the Government had not been prepared to act upon the facts which may be proved before that Commission, and to ameliorate where it was found necessary. I do not mean to say that the present Parliament is not competent to deal with the subject, because it is obvious that so long as the House is in existence it must have all the powers and functions of a legislative Assembly. It is not a question of competence, but of time, occasion, and opportunity. The facts are these:—At a comparatively late period of the Session, with very little progress made in Supply; with Boundary Bills, involving the interests of eighty-one boroughs and of one or two counties; and with two Reform Bills—one for Scotland and one for Ireland—in which Amendments of great importance will be moved, and which must take a long time — it is with these things before us, and with the necessity of calling for an early dissolution of the House and an appeal to the country — I say, with these things before us are we not right in saying that the House is incumbered with business, measures of great importance are pressing upon us, and therefore this is not the time to come forward with an abstract Resolution? The first Resolution of the right hon. Gentleman is distinctly and solely an abstract Resolution, which cannot pledge the new Parliament that will have to assemble in a few months, and which he himself admits cannot be carried into effect by legislation in the course of the present Session. I say, then, that this question is one which has been suddenly started upon the country; it has taken the people by surprise. If it had not been started so suddenly, if it had not come but recently on the minds of those who produced it, why—when the opportunity was afforded by the Motion of the hon. Member for Cork (Mr. Maguire) to go into Committee on the state of Ireland of submitting this question of the Irish Church to the consideration of the House—why did not the right hon. Gentleman produce his Resolutions then, and ask the House to consider them in connection with the state of Ireland? If this had been done we should have had time to consider them, and they could certainly have been discussed at an earlier period of the Session than they have. Is it unreasonable that we should ask for time to consider so important a matter? Is it unreasonable to ask for time in order that the country should consider the question upon which it must eventually decide? Even within the short week we have had the rustle of petitions increasingly heard from both sides of the House day by day. As time goes on I venture to say that more and more petitions will be brought here, and as the question becomes more thoroughly understood in the country they will yet increase. Already, too, I notice that many of the Nonconformist body have petitioned against the Resolutions of the right hon. Gentleman, so that the feeling against them is not confined to Churchmen. And, after all, the right hon. Gentleman himself stated last night he did not anticipate that this great measure which he had in hand could be carried into effect under much less time than thirty years, and yet now, forsooth, it is a question of hours; it is not to be adjourned for a few months in order that it may be placed in all its integrity before the country. I will show before I sit down that the proposition is one which evades the chief difficulties of the question, and only deals with those portions of it upon which unity of action can be obtained; whereas, if the right hon. Gentleman had developed his whole plan it would be certain to split his supporters into many sections. The Resolutions aimed a blow at the property of the Irish Church, which I, as a Churchman, maintain has, during the last 300 years at the very least, and indeed, as I believe for a much longer time, passed down in regular succession into the hands by which it is now held. If this be not so, where are the Acts of Parliament transferring the right to that property at any time before or during those 300 years? In what way has that transfer been made? I will not, however, enter now into that question, because if I did so I might possibly call up opposition on the other side. But I contend that when we are dealing with a mass of property of so much importance and of so long prescription it is not a matter for haste, and you have no right to force it upon the country until it has the whole case before it, and until we have an opportunity of consulting the constituencies upon it. Supposing we had met these Resolutions by a direct negative—which, as far as I am personally concerned, I should be, and am, perfectly prepared to do—and I think you will find that not only I personally, but all who sit on this side of the House will be ready to take the same course—but supposing, I say, that we had met these Resolutions with a direct negative, what would be said by hon. Gentlemen opposite? I know what would be said. It would be said that we object even to enter into an inquiry upon this question—that we object to go into Committee, and that we are not prepared to admit that there is any reformation needed in the Irish Church.—Whereas, by the Amendment we propose, we say that if it were shown before the Commission that reformation was needed we are prepared to act upon such Report, and to show that when we assented to the Commission being issued we were prepared to receive its judgment with respect. The right hon. Member for Edinburgh (Mr. Moncreiff), in his speech last night, did me the honour of calling attention to something I said in 1865. I have only to say now that I have nothing to alter as to the opinions which I then expressed. I expressed those opinions in all sincerity and candour in favour of the Establishment of the Irish Church and the retention of its endowments. I do not mean to express a difference of opinion, and I speak now precisely as I spoke then. But I am told I am to renounce all the old arguments in favour of that Church. The right hon. Gentleman the Member for South Lancashire said yesterday that those arguments were of such a character that no one would think of using them now. Sir, I trust I shall be able to show that there are authorities which might even have influence with the right hon. Gentleman — authorities who have used these arguments, and who, like myself, are not ashamed to use them still, because they are just and apposite to the question we have in hand. I have on a former occasion called attention to a speech of the right hon. Gentleman in 1865. I should not enter into this matter now; but the right hon. Gentleman himself has challenged discussion as to the propriety of his bringing this question forward, and as to the consistency he has shown in doing so. The right hon. Gentleman said that for a period of twenty-five years his opinions have been forming on this subject, and that they have gradually arrived at the position which led him to assume the position which he now occupies. The right hon. Gentleman said that in the year 1846 it was impossible for him to pledge himself on principle to maintain the Irish Church. Now, I wish to ask him to whom he made that statement known? [Mr. GLADSTONE: To my Committee.] The right hon. Gentleman says it was proclaimed to his Committee; he must have had a singularly judicious Committee, for until the right hon. Gentleman rose last night the declaration was a secret that had never been revealed to the public. ["Oh, oh!"] Before I go further I think it but right to call the attention of the right hon. Gentleman to statements which have appeared in the public Press, so that if they be incorrect the right hon. Gentleman will be enabled to contradict them, or if not, how he can reconcile his statements last night with his former professions. I say nothing of the right hon. Gentleman's opinions now; but even in papers most earnest in his support there is manifest surprise at the announcement of a change of opinion in 1846 or 1847. The right hon. Gentleman now says, in his speech of last night, that in 1865 he gave a warning to his constituents of the course he was to take on the question of the Irish Church. The speech alluded to was no doubt a warning that the right hon. Gentleman saw something very unsatisfactory in the Irish Church; but it was certainly not a warning of the particular course which he has now taken. The right hon. Gentleman now states that this is not a question of surplus or of amendment; but a question whether the Irish Church Establishment should be disestablished and disendowed. In 1865 the right hon. Gentleman said—

> "It would be their duty to consider—whether surplus or no surplus—what obligations of the Act of Union remain to be fulfilled, and how they ought to be performed."—[3 *Hansard*, clxxviii. 434.]

And now I find, in a letter published in the newspapers, it is stated by a gentleman—who does not certainly sign his name ["Oh, oh"]—although he has not signed his name to this letter he undertakes to produce the document to which he refers if any doubt be thrown upon his statement. It is, I presume, very well known that many letters are published in newspapers anonymously—nay, it is the commonest thing, I believe, for gentlemen to have their letters published without their names being attached to them, at the same time to furnish their names privately to the editors, with the intention of coming personally forward to substantiate their statements in case they should be questioned. The right hon. Gentleman had said last night that in 1865 he looked for action in the coming Parliament; and therefore it was that he had made that speech. But did he look for action in the coming Parliament? Was there a hint of such a thing in the speech itself, however distinctly it made known his opinion on the Church in Ireland? Was not the speech of 1865 a statement that the difficulty was so great, the problem was so difficult of solution, that he could not make up his mind when the subject could be brought before Parliament with any chance of its settlement? But let us see what the right hon. Gentleman is said to have written at that very time, for if the statement is untrue it is most unjust; if true, however, it bears with remarkable force upon the question as to whether the right hon. Gentleman really gave warning in 1865, coupled with the expression of his opinion that this question of the Irish Church was a pressing subject immediately coming before the House. The writer of the letter I have referred to says that just before the Oxford University election of 1865, "one dignitary, a consistent supporter" of the right hon. Gentleman, made his vote conditional on his explanation of the doubtful point. The writer adds—

> "A mutual friend was the medium of communication, and the reply contained the following assurance, which was then deemed to be as satisfactory as it was intended to be. The document itself is at your disposal if its authenticity be called in question. It may suffice, however, to quote the following passage."

Then comes the quotation from the right hon. Gentleman's assurance, as follows:—

> "The question of the Irish Establishment is remote, and apparently out of all bearing upon the practical politics of the day."

Did the right hon. Gentleman write that to one of his Committee or to one of his supporters? If he did it seems to me wholly inconsistent with his other statement of last night, that he made his speech in 1865 because he believed that the question was to come before the Parliament about to be elected. But he goes on—

> "I think I have marked strongly my sense of the responsibility attaching to the opening of such a question. One thing I may add, because I think it a clear landmark. In any measure dealing with the Irish Church, I think (though I scarcely expect ever to be called on to share in such a measure) the Act of Union must be recognized, and must have important consequences, especially with reference to the position of the hierarchy."

[An hon. MEMBER: Where does it come from?] The letter came from *The Morning Herald*, in which paper it appeared. The right hon. Gentleman has the letter now in his hands: I have brought the matter before him—I thought it my duty to bring it before him—and he will know whether the statement is accurate or not. The right hon. Gentleman having stated that in 1865 he made a particular speech, because, in his opinion, the question of the Irish Church was to come before the next Parliament, I have drawn his attention to a published statement that in 1865, in writing to one of his electors, he wrote that this same subject was so remote that he never expected to be engaged in such a measure. If the right hon. Gentleman did not write the words attributed to him, and rises in his place and says as much, I shall, of course, apologise for having brought it forward, and for having used it as I have done. But when I saw that letter published—and not in one paper alone—I did not think it my duty to abstain from bringing it before the House in connection with the statement which the right hon. Gentleman has made. I say, then, whether the letter was written by the right hon. Gentleman or not, it is clear that his opinions between 1847 and 1865 had not been openly professed, and that he was using what is called by divines "economy and reserve," and abstained from professing those opinions which in this great emergency he has so suddenly brought into prominence. My right hon. Friend who sits opposite (Mr. Cardwell), in 1863, stated that he also was in favour of maintaining the endowments of the Church. He said—

> "I believe this House will not surrender the principle of the Established Church. I believe it will not alienate the property of the Church from the ecclesiastical uses to which it has been devoted."—[3 *Hansard*, clxxi. 1586.]

Now, when one sees these things, and when these are the last utterances that we have had upon a great subject, surely we have a right to say that this comes suddenly upon us, that it comes upon the House and the country by surprise; and those who did not know that the right hon. Gentleman had changed his opinions twenty-five years ago, may feel that their confidence in former days was not well bestowed. I will now pass from personal questions. [*Ironical cheers from the Opposition*]. Yes, if it be a personal question to ask the right hon. Gentleman whether he has expressed such and such opinions without saying anything of him inconsistent with respect? If the right hon. Gentleman says he has not written the letter in question, I should at once apologise to him and withdraw all I have said upon that point. Gentlemen opposite appear now to be averse to personal questions; but I listened to the cheering when the most envenomed shafts were shot at Members sitting on these Benches, and I noticed that it proceeded from the very mouths that object to personality now. I would ask, whether this question of the Irish Church is to be disposed of hastily and without discussion? Is this Church, which has stood for so long a time, and has battled for centuries in defence of the truth, to be at once given up without consideration, and are all the arguments of the many great men who defended her in former days to be ignored or declared to be of no avail? Am I to be afraid to say that the Union of Great Britain and Ireland was a compact—a treaty of a solemn and a binding character? Am I to be forbidden to say that the 5th Article of that Union was so important that it was made the fundamental basis and the very essence of that Union? Let those who doubt this look at the Act of Union itself, and see how differently other conditions are treated which were not regarded as fundamental or essential. This Article respecting the Church was made, if I may say so, the very bait for the Irish Protestants to yield to that Union. It was put forward on all occasions as a main inducement to them to establish their Church upon what was represented as a firmer footing, by uniting it, as was supposed, indissolubly, to the Church of England. And have we any right now, because this connection may, in the opinion of some, be a burden or source of weakness to us, to throw it aside and say, "We will renounce the Union of the Churches, and leave the Irish Church to take care of itself?" Let us see what has been said in former debates by eminent politicians: what, for instance, was said by the Lord Chief Justice of England (Lord Ellenborough) as to the effect of the Union upon the United Church of England and Ireland. On the 13th of May, 1805, Lord Ellenborough thus expounded this Article of the Treaty in his place in Parliament—

> "By the 5th Article of the Union it is declared that the continuance and preservation of the said United Church, as the Established Church of England and Ireland, shall be deemed and taken to be an essential and fundamental part of the Union. By fundamental is meant, with reference to the subject-matter, such an integral part of the compact of union formed between the two kingdoms as is absolutely necessary to the support and sustaining of the whole fabric and superstructure of the Union, raised and built thereupon; and such as, being removed, would produce the ruin and overthrow of the political union founded upon this Article as its immediate basis."—[1 *Hansard*, iv. 814.]

The right hon. Gentleman the Member for South Lancashire escaped from this point by saying—"Oh! but Mr. Pitt meant to do this in connection with other things," that intention being expressed not in the Act of Union, but in State Papers which are now accessible to us. But there was no engagement either in the Act of Union or in any statement on the part of Mr. Pitt that anything would be done more than was done by that statute. Nothing can be produced that ever was stated by Mr. Pitt to show that anything forming part of the compact was, in the slightest degree, neglected or left undone by him. My right hon. Friend opposite says that there were other inducements. I am sorry to say that there were, and that the Irish Parliament of that day may be said to have been corrupt in the strongest sense of the term. But the Parliament of England, which accepted that compact and joined in that treaty, was it also as corrupt a Parliament? [Mr. Bright: Hear, hear!] The hon. Member for Birmingham says it was; and therefore I presume that, in his opinion, the Acts of that Parliament are not to be attended to, or, at least, are not to be attended to in the same way as he would doubtless conceive they ought to be if they were the Acts of some more perfect legislative Assembly. [Mr. Bright: I did not say so.] I am perfectly aware of that. But just now, when I was asking whether the Parliament of England, which also joined in the Act of Union, was as corrupt as the Irish Parliament, the hon. Gentleman interrupted and said "It was." And that either has some meaning or it has not. If it has a meaning, does it mean that the Acts of that Parliament are in any sense invalidated? If so, we shall be entering upon a very difficult question. And if we are to question the intentions of Parliament and its freedom from corruption, and so to judge of the acts which it performed, I am afraid that some of our creditors will not be in a very favourable position for obtaining payment of their debts. The right hon. Gentleman the Member for South Lancashire has stated that whatever else might be the ultimate effect of his Resolutions, they could not be injurious to the Protestant faith; and he went into statistics as to population and the proportions of different creeds. With regard to those, I will only say that any one who heard the statistics given as to the different creeds and different professions in Ireland must have felt that the sources from which they were derived were not such that they could be treated as a particular and demonstrative statement with regard to the population. The only statistics, I may say, that were thoroughly gone into were those in 1834 and in 1861. The right hon. Gentleman said that when the penal laws were most strictly enforced the Protestants had increased; but that when the penal laws ceased to be enforced and liberty was freely accorded, the Protestants began to diminish in proportion to the Roman Catholics; the right hon. Gentleman taking those things as cause and effect. Now, if there were a period during which there was a more general relaxation of the penal laws it was that between 1834 and 1861, and yet it will be found that the proportions of the populations had then increased in favour of the Protestants. I know that the right hon. Gentleman says that such increase is to be accounted for by the emigration of the labouring classes, whom he assumes to be all of the Roman Catholic faith. But the right hon. Gentleman has made no allowance whatever for the large emigration of Protestants from Ireland. I believe there is not an Irish Member who will fail to tell you that among the emigrants there were a very large number of Protestants, who carried themselves and their religion to another country. But the right hon. Gentleman says that the disestablishment of the Protestant Church in Ireland will not be injurious to the Protestant faith. I should be ashamed of the religion which I profess, if I thought it would be unable to meet any other form of religion with or without the aid of endowments; but am I on that account to say that I think it is incumbered by having endowments? If so, that seems to me an argument which goes far beyond the case of the Irish Church. I do not know why in one country it is to be considered advantageous to be without endowments and in another country to possess them. And if religion in this country can exist, although cumbered, as the right hon. Gentleman would have us think, with large endowments, why do you object to our Protestant friends in Ireland retaining that which they believe to be of service to them, and that to which they believe they have a right? In respect to the voluntary principle, there is a great part of Ireland in which the voluntary principle is hardly applicable — parts where the Protestants are but thinly scattered, and where it would be almost impossible, without parochial organization, that they could obtain for themselves the means of grace; and therefore it is necessary that in those parts of the country there should be some means of providing them with the means of grace to which they are now entitled by law. The right hon. Gentleman, in holding out these Resolutions as an olive branch to Ireland, forgets how much he is alienating—how much he is distressing those who are members of the Church, and those who, though not actually members of the Church, feel towards it a friendly interest. We are here, as it were, lookers-on at a picture which is passing before us in the distance; but it touches the hearts and the homes of many. It is to such not only a sentimental grievance, but a practical wrong. While they feel deeply upon the matter, is it for us, in our apathetic indifference, to give up the dearest interests of all those with whom we are united by the ties of religion, of honour, of treaty, and of compact — to allow such considerations to be thrown over without regard to their feelings, with the view of reconciling others who may, after all, remain hostile to us, whilst we alienate our old friends who have ever been faithful to us? Now, Sir, the right hon. Gentleman said he did not think that any one would venture to use the argument that the subversion of the Irish Church would tend also to the subversion of property. It is, however, an argument that has been used by some of our greatest authorities, and, not the least, by that great man, Sir Robert Peel, whose memory probably the right hon. Gentleman opposite respects. It was an argument that Sir Robert Peel did not disdain to use, and urge with great force on more than one occasion. He did so at some length; but I will merely read a short extract from a speech of his on the Appropriation Clause, to show the terms in which he spoke of the Church property. He said—

> "If long possession and the prescription of three centuries were not powerful enough to protect the property of the Church from spoliation, there is little safety for any description of private property; and much less for that property which is in the hands of lay corporations."

And it was no idle fear, for there are symptoms that property in the hands of lay corporations is in danger, and language has been used in this House on the Irish land question which seemed to verge very near an attack on the Irish property of the City companies. Language has been used with reference to their possession of land in Ireland which must certainly give them the hint that the time may soon come when they will have to set their houses in order. And with reference to another great corporation possessing land in Ireland—the Law Life Assurance Society — language has been used which shows there is a design in some persons to carry the attack beyond the property of the Irish Church, and not stop short of the landed interest; for I do not hesitate to state that the schemes proposed for dealing with the land in Ireland are in themselves on a revolutionary scale. These schemes do attack the rights of property, and those who argue that you may justly take corporate property from the Church depend upon it will not be very squeamish hereafter in dealing with other property. Well, Sir, in speaking of this question I will not hesitate to adopt what may be considered a legal statement upon the question of corporate property made by the Lord Chancellor. He says—

> "It was always admitted that so long as the corporate body which possessed the title to ecclesiastical property remains, so long as the property is not greater in amount than can be usefully applied by that corporate body, there is no right of principle on which Parliament can interfere to alienate property of that kind."

I concur in that principle. It is a principle acted on with respect to all charity property by the Court of Chancery. I believe it is a just rule, and one which we cannot violate without assailing the interests of property. The right hon. Gentleman says we are going to deal tenderly with our victim, for we are going to preserve vested interests, and we even propose going beyond that ; but at that moment the cheer which had greeted the maintaining of vested rights died away—and at the more than vested rights, the interests of curates and those who had entered on some miserable benefice with the hope of advancing to better things—I found that cheering checked ; and it is manifest that it will not be so easy for the right hon. Gentleman to carry into act his tender regard for those who have no vested interests in the property of the Irish Church. The rights to which he alluded were the vested rights of the clergy ; but how are you going to deal with the rights of the laity ? This is a question of the laity. You may deal with the clergy, so far as they are personally concerned, by paying them off, pensioning them, or by arranging with them in any other manner you please ; but when you come to the vested interests of the laity, which are held in trust for them by the Bishops and clergy, and not for themselves, how are you to compensate them for the vested interests you are about to rob them of ? The right hon. Gentleman says it is absurd to talk of what was promised in former years in order to gain concessions, when engagements were made that if a particular thing were done, it would produce peace and harmony, and that at length we should see our efforts in respect of Ireland crowned with success. Certainly those who prophesied at the periods to which I allude that those effects would not follow have had their fears amply justified by the result. I think it a great misfortune for Ireland that the hopes which then actuated those who were pleading the cause of the Catholics, and the promises which they made, have not been fulfilled. Those who are now advocating the disestablishment of the Protestant Church in Ireland do not hold the opinions of Plunket, Blake, and Peel, or of the Roman Catholic prelates, or of the Canonists of Maynooth, who said that the title of the Established Church in Ireland would be recognized by Rome itself, which only requires a prescription of 100 years, while the Protestant Church in Ireland has lasted for 300 years. I am bound to say that on this occasion we are not in danger of being led away by promises, for no promises are held out that what we are asked to do will in any way tend to the pacification of Ireland, or that it is o be more that a step to new demands. It is true that in speeches in this House something of that kind may be said ; but those for whose benefit the property of the Church is to be taken away are holding out no promises. They are not saying that they have not in reserve a demand for concessions which they regard as of much greater importance and magnitude. Those "calm men of Limerick," to whom the right hon. Gentleman the Member for Calne (Mr. Lowe) alluded a few nights ago, say that they do not believe anything will do justice to the feelings of the people of Ireland except a repeal of the Union, committing Irish interests to an Irish Parliament in Dublin. My hon. Friend the Member for Honiton (Mr. B. Cochrane), in his speech last night, quoted a remarkable passage, which I am afraid was not heard by as many as ought to have heard it, because it shows that the persons who are agitating for tenant-right in Ireland put aside the Church altogether as a grievance. At a meeting of the Meath Tenant-right Society, of which the Bishop and the Roman Catholic Vicar-General are members, this statement was put forward, the Vicar-General presiding on the occasion—

> "The one, the great, the sole question for Ireland is the land question. Other agitations, such as that against the Established Church, got up for party purposes, would infuse an element of bigotry into the already disturbed relations of landlord and tenant, would effect the ruin of thousands of tenants, and precipitate that social catastrophe which we are anxious to avert."

And yet we are told that by holding out this olive branch to the Irish people we are doing all that is required ; whilst Lord Russell has thrown the land question over as unworthy of his consideration, and bids us bestow on the Roman Catholic people of Ireland what they themselves regard as a concession of infinite insignificance. ["No, no!"] Well, Sir, I now come to an important question, one which is not solved by the Resolutions of the right hon. Gentleman, and of which in his speech he offered us no solution, and without an answer to which, I say, we cannot fairly and honestly vote on these Resolutions. It is essentially necessary that we should know the whole of the scheme that is to be proposed. Are you, or are you not, going to secularize the revenues of the Established Church in Ireland ? If you are going to secularize them, to what do you propose to apply them ? We have been told over and over again that if there is any one in these days who objects on principle to such secularizing he is rather to be pitied. The right hon. Gentleman said he had a sort of sympathy with such a feeling, he pitied such a weakness, but it was one that he could not countenance. Sir, it was a feeling of a distinguished Colleague of the right hon. Gentleman, expressed in most solid and effective terms. Sir James Graham ended a great speech on the subject in language very strong and very decided; and he declared that he had that feeling of weakness which the right hon. Gentleman pities. Sir James Graham, in the speech to which I refer—[An hon. MEMBER: The date?]—used this language. The date is 1834; but I am not aware that in any subsequent speech he qualified it, or I should not now quote it. He said—

> "The Church property was set apart by the piety of our forefathers, whether in England or in Ireland, to maintain and propagate the Christian religion, and I tell you it is sacred and must be applied to that purpose. Those who minister at the altar shall live by the altar; this decree is as high as Heaven; you cannot take it away. It is strong as the Almighty; you cannot overthrow it. It is lasting as the Eternal; it can never cease to bind you. It is binding on you as Christian legislators and as Christian men, and, for one, there is no consideration on earth which shall induce me to compromise or violate it."

I can quite understand that some hon. Gentlemen will condemn the weakness of feeling of Sir James Graham; but I am content to feel with him, and to express the opinion which he expressed, and to avow that there is in this secularization of Church property something inconsistent with the sacred uses to which it has been dedicated. I might also quote Lord Brougham who has also expressed a strong opinion upon the subject—namely, that not one farthing of the money of the Church should be diverted to other purposes until sufficient had been taken for the purposes of the Church, and then it should only be taken for Church education; and, above all, on no consideration on earth would he give one farthing of it to assist the Roman Catholics. The right hon. Gentleman has, to a certain extent, revealed his plan, and he tells us that his mode would be to deal very tenderly with the question, and that he thinks no one will be at all aggrieved at the glebes, parsonage houses, and the churches being left in the possession of the Protestant clergy of Ireland. So, at least, I understood him to say. Now, I want to know whether you are going to provide glebes and parsonages for any other clergy? Do you mean, for instance, to build parsonages for the Presbyterians, the Roman Catholics, or any other denomination in Ireland? I ask this, because I find it is put forward in a pamphlet by an Irish Roman Catholic Member of Parliament (who may be now in the House) that, so far from the right hon. Gentleman's plan giving satisfaction, it would give the greatest dissatisfaction. According to this Gentleman, so far from it being a prudent thing to leave the glebe houses in the hands of the Protestant clergy, without providing them for the Roman Catholics also, nothing could be more irritating and vexatious. He says—

> "Now, if there is one fact more than another which in the eyes of the Irish people at large exemplifies the evil of ecclesiastical inequality, it is the difference between the glebe house and land of the Anglican minister and the humble and often wretched habitation of their priest. This is a palpable, tangible fact. It is one which, even if the Anglican Church were disendowed to-morrow, would, until rectified, still evidence a contrast calculated to provoke discontent and irritation."

The right hon. Gentleman, in his speech in 1865, said he thought it was essential in any well-considered measure—and nothing but a well-considered measure should be brought before Parliament — that they should arrive at the conclusion whether the Church property should be applied one way or the other. Now, I ask whether these Resolutions give us any hint on this subject? Have we anything to guide us in the slightest degree as to what is to become of this money? Many hon. Members agree that it is badly applied at present. Be it so; but there are worse purposes to which it may be applied, and probably many others will consider that, until they know to what uses it is to be applied, there is no scheme before them upon which they can be fairly and honestly called to vote. The right hon. Gentleman says also that to show that he is in earnest, he proposes immediate legislation upon the subject. Now, let us see what kind of legislation it is to be. It is not to be legislation to settle the question, but legislation to stay the hands of the Ecclesiastical Commissioners and of patrons of public livings, so that there may be a suspension of everything in Ireland till the next Parliament has met. I believe that is a correct statement of what fell from the right hon. Gentleman. Now, I want to know whether, when we are told that we are not to conclude this question, we are really to decide it practically, by suspending the whole process of the

Church in Ireland, and all that is going on there, for several months before next Session, and then to say that we have not in the least prejudiced the question? Why, if there can be any prejudgment it is by adopting a course which will render necessary the repeal of an Act of Parliament in order to set things in motion. And how is the time to be found during this Session to discuss a Bill which, unlike a Resolution, must pass through a first and second reading, be considered in Committee of the Whole House, and be then read a third time? This is the way in which great questions are generally treated, and in which they always ought to be treated. The right hon. Gentleman says that nothing can be so bad as an abstract Resolution; and I will defy anyone to show that the first of the right hon. Gentleman's Resolutions is anything but an abstract Resolution. I want, therefore, to know, if the other House of Parliament is also to be tested on the Resolutions, in order to ascertain what prospects there are of obtaining their assent to such a Bill; or is this House to usurp the whole power of expressing the opinions of and guiding both branches of the Legislature? In that case it would be an unconstitutional proceeding, and if you are to pass Resolutions of this kind and Addresses to the Crown, they ought to be joint Resolutions and joint Addresses of both Houses. The main question after all is, "What are you going to do with the funds of the Irish Church?" And until we have an answer to it you have no right to get together a number of persons to vote on one side of the question without any idea of the principles that are to guide them hereafter. The hon. Member for Westminster (Mr. Stuart Mill) has his scheme, and would apply the funds to unsectarian education. But, I would ask, is that the way to conciliate the Roman Catholics of Ireland? If there is one thing which they have been setting their faces against more than another it is unsectarian education. The right hon. Gentleman told us yesterday that it was not to be endured that the tithes of Connaught should be taken and applied for the benefit of Churchmen in Ulster; but I want to know whether it is to be endured that the tithes of Connaught are to be applied to the building of lighthouses near Dublin or anywhere else, and whether when improvements are made the funds are to be applied for Irish purposes generally, or expended in the locality whence they are derived? If the funds are to be taken in order to supply the wants of the people of Ireland generally, such a plan will be quite as inconsistent with the right hon. Gentleman's powers of endurance as the application of the tithes of Connaught for the benefit of the Churchmen of Ulster. This is not a separate property, and does not belong to the people of Connaught in particular. It belongs neither to the landlord nor to the tenant, but to the laity of Ireland; and if it is for the improvement of their religious instruction, I say it may fairly be taken and applied in any part of Ireland where it may be wanted. I pass by Earl Russell's scheme of distribution, which no one is ready to adopt, and which the noble Lord himself condemned with such great effect very recently before he adopted it. We might, therefore, rely on his condemnation as sufficient for our purpose. The hon. Member for Birmingham (Mr. Bright), as I understand it, would leave something to the Church, though he would take away a good deal and secularize it; but he has not told us what particular mode of procedure he would recommend. We do not know, therefore, in what way the money is to be dealt with. That there is to be an unsettlement of everything is clear, and it is also clear that there is to be a settlement of nothing. You say that this is a sentimental grievance, and I, for one, do not assert that the circumstance of a grievance being sentimental is not enough to cause persons to resent it; but I maintain that, when you have a sentimental grievance on the one side, and are going to make a more than sentimental grievance on the other, it is only fair and just that the persons on whom you are going to make the experiment should know what is to be the destination of the funds of which you are about to despoil them. But I am told, of all things, that it is not legitimate to say in this debate that the question of the Irish Church affects the stability of the English and Scotch Churches. I can quite understand that there are those who are, like the mother in her extremity, who threw away her children to save herself from the devouring wolf; but, at the same time, I do not remember that incident to have been regarded as a very happy instance of maternal feeling. The course taken by that selfish mother does not commend itself to those who feel themselves bound to Ireland by sympathy and the ties of blood and religion. I am not so disposed to throw her overboard; and I am still less disposed to do so when a course is taken which affects—and materially affects—the principles upon which the Church Establishment rests in the sister country; for, whatever may be said, the main arguments which have been used by the right hon. Gentleman and hon. Members who sit below the Gangway, and with perfect consistency by the latter, in support of these Resolutions, are in favour of religious equality. Now, religious equality I do not understand, either in principle or practice, to apply to only one part of the Empire. I say, therefore, it is not unreasonable in us to object, if you are going to touch part of our Church, that on that principle you are, in fact, touching the whole, and upsetting the grounds upon which alone the Establishments of the country—Church and State—can be defended. If it is necessary for religious equality that there shall be no endowments or privileges accorded to the ministers of the Established Church, then I understand the argument. It is the voluntary system pure and simple, and one fairly to be debated and argued; but you cannot justly put forward religious equality when you are only going to apply the principle to a small part of the Empire. What will be gained by this great sacrifice of principles on our parts if we are to accede to it? You have promised us nothing, and you have brought nothing before us to justify such a sacrifice; but if you can show that at this dear rate you can bring perfect harmony and concord in every part of our dominions, Heaven knows how many prejudices—how many sacrifices of a deeper nature everybody would be ready to make to obtain so desirable an object. If justice required that we should give up those things on which our hearts are set—that the interests of the whole country required it, and there was before us a certainty of obtaining that which we all desire, then there are reasons for renouncing opinion, and I, for one, if I could not assent, would at least withdraw out of my way and let others carry this measure for the benefit of all. But when I do not see that the desired end would be attained, I then continue advocating on this side of the House principles which I advocated from the opposite side; and if changes in those principles are to be made it shall not be by my hand that the stab shall be given, and not on these Benches that the change shall be made. I will leave to others to effect purposes which I may no longer be able to resist. Well, Sir, what is the great emergency that has arisen calling on us to make these enormous sacrifices, which, likewise, if we had made, we should have been taunted for making them on an occasion which did not require it to be done? Is it the miserable Fenianism that has prevailed in this country, or the base Fenianism in Ireland, spoken of the other night, calling on us to make this sacrifice of our time, of our duty, of all that is dear to us, in order to get rid of what would not be affected by it for a moment? Is it the suspension of the Habeas Corpus Act? We have had the suspension of the Habeas Corpus Act for many years. Has it interfered practically with the liberties of Ireland in the way it has been used? Has it interfered with the ordinary progress of business? Has it interfered with religious freedom? Has it interfered with ordinary freedom of intercourse? Has it not rather been used in emergencies, in order to give greater security to the real freedom of Ireland, by checking that which is lawless and upholding real loyalty and liberty? If you are to take this ground you will only be adding another to the right hon. Gentleman's list of dates which were last night cited to prove the imbecility and weakness of the English Parliament — its injustice, its unfairness, its readiness to do wrong so long as the wrong could be done with impunity; and he told us that up to the present time we had abstained from doing justice to Ireland, but now these things must be swept away, and he threw it in the teeth of Parliament that it had never done an act of justice to Ireland without having been compelled to do so. That, I think, is one of the disgraces of Parliament, which ought not to be recorded as a merit, or held up as an example to be followed on the present occasion. Well, I think I have shown that the present is not a fitting time at which such a change, if it were necessary, should be made; and I state boldly that nothing which has been put forward by the right hon. Gentleman is sufficient to convince the House that the people of this country reposes any confidence in the views of the right hon. Gentleman the Member for South Lancashire on this question. Surely, then, the people ought to be consulted before such a change is made. I further say that the first Resolution, if you should pass it, is not binding on the Parliament to which it will pass on from the Journals of this House. I say that if you throw aside a compact, a statute made as a treaty, and say, "that is not to bind Parliament," how can you say that this Resolution, passed by a dying Parliament, is to bind its successor? You are putting this branch of the Legislature in an undue position. There is a complaint that the House of Lords has nothing to do. The reason is because you will not test its power to work. But it is an Assembly equal to this; and when you are calling upon us to proceed upon this dangerous and revolutionary path—for so it was called by the right hon. Baronet the Member for Morpeth (Sir George Grey)—you ought, at all events, to call into council that branch of the Legislature without which you cannot legislate. Again, I say, suppose you carry the Resolution, you do not show us the object in view or that you obtain the peace of Ireland. On the contrary, you would increase many of her evils. You complain of absenteeism; well, by the adoption of your scheme, I believe that you would increase it, and cause it to extend among the landlords as well as the clergy. [*Laughter.*] In answer to that laugh, I may observe that the right hon. Gentleman the Member for South Lancashire admitted that in all great emergencies the clergy in Ireland had been found at the bedside of the sick and in the cottages of the poor. I believe that the charities of Ireland owe more to the clergy than to any other class of the community. We have been asked what course we intend to take upon this question. In the first place, if, in spite of the objection that we have taken, I believe justly, to the Resolutions of the right hon. Gentleman, you succeed in overthrowing the Amendment, our course is clear. We shall oppose the Resolutions themselves. If you ask what we would do—not in this Parliament, because it would have no opportunity of doing anything in the matter—but in the next Parliament, in the event of the Resolutions being carried, my reply is that I will give the right hon. Gentleman no other pledge than this—that we will act in accordance with the former part of the Amendment, and if, on the Report of the Commission, we are satisfied that it would be for the benefit of the Irish Church that certain modifications in it should be made, we will make them with a fearless hand. But if you ask us to go further, I will say, at least for myself, as I have upon former occasions, that I will not be a party to a measure for disestablishing the Irish Church. I am not prepared to sever Ireland from England in religious matters, and present the spectacle of a Government in Ireland of a purely secular character, and a Government in England partially religious. [*A laugh.*] My form of expression is not, I am aware, as perfect as I could wish; but what I meant to say was, that I will not consent to the anomaly that Church and State should be dissevered in Ireland and remain connected in England. The right hon. Gentleman said that the disestablishment of the Irish Church would, as respected the Irish people, "Pluck from the memory a rooted sorrow; Raze out the written troubles of the brain;" but he quite omitted to quote the preceding line, "Can'st thou not minister to a mind diseased?" It is the mind of Ireland that is diseased—a disease caused by a long traditionary hatred of the Saxon, and kept alive by constant agitation and misrepresentation. It is thus you have, as I believe, diseased the kindly and generous mind of Ireland, which, but for that pernicious agitation, I believe would have been in harmony with us at the present moment. The drug, however, which the right hon. Gentleman proposes to administer would not be a "sweet oblivious antidote," to appease the distempered mind of the disloyal, who would rather ask for some "purgative to scour these English hence." The measure proposed by the right hon. Gentleman would not tend in any degree to the desired end—to conciliate those who first of all told them that the land question was to be settled on a basis and in a way to which the present Parliament would never assent, and that in the end there is to be a repeal of that Union the inviolable and fundamental basis of which was the United Church of England and Ireland. I have looked through the speeches that have been made in this House for a statement of the specific wrongs—wrongs which call for specific remedies; I have looked in vain to find to whom you are to give these funds which you are going to take away from those now in possession of them. I have looked in vain for any statement in former debates or in this which will lead me to a conclusion upon this vital question. I say your Resolutions are founded on principles repugnant to, and far away from, the theory and the practice of the Constitution of the country, and will be provocative of strife, of enmity and of dissension, instead of paving the way for peace and harmony between England and Ireland. If they conciliate one party, they will irritate another; and, although I will never believe that the Protestants of Ireland will become disloyal, yet there can be no doubt that will excite among them discontent and disaffection, there will be the injustice which is done them which must in the end react upon England. I feel bound, where no wrong has been done in the use of property by those to whom it belongs, to protest against the spoliation of it. I feel doubly bound, both as a just man and as an Englishman, to be true to the compact which is in force between the two countries. As a Churchman I cannot be indifferent to the condition of my brethren in the Faith in Ireland. I cannot be indifferent to the clergy who so zealously and so effectually have performed their duties in that country. To that fact I call to witness those Gentlemen who are the most opposed to the old endowments. I cannot be a party to sever that union between Church and State under which it is the glory and the privilege of the State to uphold the light of the Reformation in Ireland.

Mr. GOSCHEN thanked the right hon. Gentleman for the speech he had just delivered, and the party opposite for the manner in which it had been cheered, because they could now understand the construction put by the Conservative party on the Amendment. He recognized the true Conservative accents in the speech of the Home Secretary, so different from that of the noble Lord who moved the Amendment. Which interpretation were they to place upon that Amendment — that of the noble Lord or the right hon. Member for Oxford University? They knew very well what "considerable modifications" meant. They meant—not any reformation in the Irish Church, that would do justice to Ireland, in the sense the Liberal party understood it. They were to be modifications within the Church itself. If that was so, why was the fact not stated on the face of the Amendment, so that every one could understand it?—that, while the Government thought they might make a certain re-distribution of revenues, they would not touch the question of disestablishment or disendowment? The right hon. Gentleman was so eloquent at the end of his speech, he uttered sentiments so noble, that he was loth to recur to the recriminations of his right hon. Friend, in which he indulged at the commencement. It was, indeed, a curious phase in political vicissitudes that it should have fallen to the lot of the right hon. Gentleman the Member for the University of Oxford to speak of the sudden conversion of his right hon. Friend (Mr. Gladstone). And how did he prove the rapidity of that conversion? He brought forward letters which had been published in newspapers. He referred to anonymous communications. ["No, no!"] Then let them have names. He (Mr. Goschen) called communications anonymous which had no name appended to them. To the public at least the letter was anonymous. But if the right hon. Gentleman wanted to know what were his right hon. Friend's sentiments in 1865, why had he not turned to the debate? Why did he not refer to the remarks of the right hon. and learned Member for the University of Dublin (Mr. Whiteside)? He would then clearly have seen what were the views of his right hon. Friend in regard to the Irish Church. In the letter attributed to his right hon. Friend it was stated that the question of the Irish Church was remote from the policy of the day. Did the right hon. Gentleman consider that three years ago the question of household suffrage was remote from the question of the day? He thought that accusations of inconsistency came rather awkwardly from the right hon. Gentleman. But he would not dwell upon this. There was one remark which fell from the right hon. Gentleman that would be received with pleasure on that side of the House. He said, if the question of justice to Ireland could be made out, if that were really at stake, he would have to consider whether he should not be obliged to surrender cherished convictions, and, in spite of the Church to which he belonged, to do justice to Ireland. This was the plea of those who sat on that side of the House. Justice required this to be done. It was no use to speak of dangers to other communities. Justice must be done in this matter to Ireland by the Imperial Parliament. The right hon. Gentleman spoke of the price that was to be paid. It was not a question of price, but of justice. If it was just to Ireland that the Irish Church should be disestablished, then it was impssible he should speak of price. The right hon. Gentleman had entirely abandoned the line of argument adopted last night. He repeated the usual arguments in favour of an Established Church — vested interests, the Act of Union, danger to the Church in England, and the animosity of the Orangemen in Ireland. It was said the Treaty of Union deprived us of the right to deal with the question of the Established Church of Ireland. How could this be? The Act of Union last year was called a compact between two nations; but what if both agreed to a revision of their compact? It was the majority of the people in England who wished to revise the Act of Union as regarded the Established Church of Ireland; and who opposed it? One branch of the people alone — the Protestants in Ireland. Did the right hon. Gentleman mean to maintain the Act of Union? The 4th Article had been dealt with again and again, and why should not the 5th be also dealt with? Then, as to vested rights, the right hon. Gentleman attempted to prove that not only the clergy but the laity had vested interests in the revenues of the Irish Church. What were those vested rights? They were no more vested rights than were those rights with which right hon. Gentleman opposite had dealt over and over again. Did they remember the action of the Ecclesiastical Commissioners? Did they forget the action of the Government itself in regard to the public schools? This property was the property of the State, and Parliament retained the full right to deal with it. The title of the Irish Church to most of its revenues was a Parliamentary title only, and Parliament had a right to deal with it. The right hon. Gentleman spoke of secularizing the property of the Church; but they had already secularized a portion of its revenues by putting 25 per cent of the tithe into the pockets of the landlords. The right hon. Gentleman shifted his ground to suit his convenience. His whole argument was untenable. The Church of Ireland was a Parliamentary Church, like the Church of England, and Parliament had a right to deal with it. There was another argument to which he had listened with great surprise. It was this—that the Church of England might possibly suffer through the action we might take in regard to that of Ireland. He must admit with regret that such an argument was not only pusillanimous on the part of English Churchmen, but was also immoral. Nothing could be more unjust than for England to say to Ireland, "In order to preserve our Church we will refuse you yours." What was the object of the letter which had been written by the right hon. Gentleman the First Lord of the Treasury? It was simply an invitation to the clergy of England to preach to their flocks against encouraging justice being done to Ireland. ["Oh, Oh!"] Was not the impression such a letter was likely to make upon the minds of the clergy that their interests were bound up in those of the Irish Church. Was not its object to appeal to religion to the prejudice of justice? These were the only results that could flow from an attempt to tie up the questions of the English and the Irish Churches together. For his own part he did not believe that the English Church was in danger; but, even assuming that it were, what would the Irish people say of a Union which enabled the argument to be used that, for fear we in England might suffer, we should refuse to do justice to Ireland. The right hon. Gentleman alluded to the effect that any Motion of this kind might have upon the Protestants of Ireland, and he pointed out very accurately and graphically that, when the House began to touch any part of a nation on its religious side, they were sure to raise feelings with which it was difficult to deal. The fact was, that the grievances which touched the religious sentiments of a people were always most serious, and it was for that reason that they were now endeavouring to deal with the question of the Irish Church Establishment. The right hon. Gentleman, while declaring that the grievance of the Irish people in this matter was only a sentimental one, acknowledged its gravity. But he wished to ask the right hon. Gentleman whether any of those sentimental grievances existed in England or in Scotland as well as in Ireland? Was not the grievance of the Irish people in this respect greater than that of England was with regard to the church rates with which that House had just dealt? Why, in Scotland even so small a matter as the Annuity Tax had raised a storm that it was difficut to quell, and yet hon. Members were surprised that Ireland should feel strongly upon this question. The right hon. Gentleman said that, supposing that House should consent to the disestablishment of the Irish Church, they had no guarantee that Ireland would be pacified by the sacrifice. But the question was not whether Ireland would or would not be pacified by the sacrifice, but whether it was the duty of England to make it. In his opinion, however, the disestablishment of the Irish Church would be no small step towards the pacification of that country. Would not the fact of England doing an act of justice have a good effect upon the minds of the Irish people? Had that country no representatives in that House who could appreciate such an act of conciliation? The right hon. Gentleman objected to the time when this Motion was brought forward, and had pleaded for delay; but why was it that this question had not been dealt with before? It was because of the opposition of the Conservative party, who were too strong to allow the Liberals to carry any measure which they might have introduced with the view of settling this question. But now that the Conservative party occupied the Benches on the other side of the House the right hon. Gentlemen on the Treasury Bench sat there more or less to do the work of the Liberal party. When they were in Opposition it was impossible to carry great measures of this kind, because great questions could seldom be settled when there was but a slight difference in the numerical strength of parties. If the Conservative party were at that moment to come forward with a policy for Ireland worthy of the name, they would meet with the hearty co-operation of the Liberal party. The right hon. Gentleman asked why this question was forced on at the present moment. It was because Her Majesty's Government had made it necessary to deal with this subject by coming forward with a policy for Ireland which was, in point of fact, no policy at all, and had so thrown out a challenge to the Liberal party. Had not the Liberal party accepted the challenge, depend upon it that the Irish Members would not have permitted it to pass unnoticed. He was glad to hear that night from the right hon. Gentleman that he had abandoned the theory that this question could not be dealt with by a moribund Parliament which, if he was not mistaken, was started by the Prime Minister.

Mr. DISRAELI: You are mistaken.

Mr. GOSCHEN: Not moribund?

Mr. DISRAELI: Not moribund.

Mr. GOSCHEN said, he was glad that the Parliament had been declared competent to entertain this question, and hoped that the Conservative press would take notice of that declaration, and would leave off saying that the Parliament was not competent to deal with the question. In his opinion, the House was quite competent to deal with the subject, and it was most important that they should do so without further delay. The right hon. Gentleman asked whether they were to pledge their successors; but the real question was, did they wish to pledge themselves upon this question? Was it not important that public opinion should ripen upon this subject? If Her Majesty's Government would only lend the Liberal party some assistance the question might be easily settled; it was the will and not time that was wanting. The right hon. Gentleman spoke of the action that the other House might take; but it would merely have an opportunity of expressing an opinion upon the question. The right hon. Gentleman the Member for South Lancashire explained that, before the Irish Church could be dealt with, a Bill must be introduced into Parliament, and must pass successively through all the usual stages, and that the introduction of such a Bill must be preceded by an Address to the Crown upon the subject. The question would be amply discussed, and there would be every opportunity offered for either of the two great parties, and for individual Members, to pledge themselves either for or against the principle of such a Bill. He was not aware what opinion the right hon. Gentleman held with respect to the continuity of such promises; but he was convinced that any action taken by the present Parliament would not fail to have an influence, and a very strong influence, upon the new Parliament. He did not see why they should be so tender of the feelings of the next Parliament, nor why they should be so frightened of hampering them by any action they might take in this matter. It was difficult for the House to comprehend the policy of Her Majesty's Government, although they had certainly heard the negative portion of it announced that night. It was evident from the statement of the right hon. Gentleman that nothing was intended to be done. Were not the words of the noble Lord's Amendment, proposing to defer all action until after the conclusion of the pending inquiry, sufficient of themselves to condemn the Government policy? What necessity was there to inquire further to arrive at a conclusion one way or another, whether the Irish Church ought to be abolished, although it might be necessary, before the details of any plan for dealing with the Irish Church could be determined upon? The reproach that the Opposition had not shown their hands enough came curiously from the Government. Why did not they show their hands? Why were the Opposition to bring forward their measure now?

The noble Lord the Chief Secretary for Ireland made use of some extraordinary phrases ; he talked about the degradation of the English Church in Ireland, and said the policy of the Government was not to degrade, but to produce equality by elevation. Nothing had escaped from Ministers to throw the slightest light on that oracular statement. It was important the country should know what it meant. Did it mean anything ? Did it mean the endowment of the Roman Catholic clergy ? The official representative of the Irish Government said the policy of the Government was to level upwards. Could anything be more natural or necessary than that the Opposition should bring forward a counter policy and say that the Church of England in Ireland ought to cease to exist as an Establishment ? He (Mr. Goschen) objected altogether to what was said by the noble Lord as to the degradation of the Church. The Establishment would not necessarily be degraded if disendowed and disestablished. He rejected the theory that this was degradation ; it was far more elevating that a Church should stand on its own basis where it was in a minority. Disestablishment would strengthen rather than weaken the Church of England in Ireland. We had no right to treat this question according to our private views of what we wished to be. We had only to ask what was just and right, and no time could be too early to do that. That sufficient Votes in Supply had not been taken was no reason for delay. The pacification of Ireland and the additional strength Government would derive from it would amply compensate for any inconvenience resulting from a little delay. The argument of time entirely broke down ; and the right hon. Member for the Oxford University (Mr. G. Hardy) did not attach much importance to it; indeed, he wished to fight this matter on its merits ; and it was upon its merits that the Liberal party would be prepared to deal with it.

Mr. PEEL DAWSON said, that as this was not the first occasion on which he had addressed the House on the subject, and as his general opinions upon it were well known, he would not speak at any length, or be the means of preventing other hon. Members who might not have had the same opportunities as himself from expressing their sentiments upon this all-important question of national interest. His intentions were, as heretofore, to support those ecclesiastical institutions in Ireland which had so long existed as connecting links between the two countries, and which could not be dissolved without the possibility, nay, to his mind, the certainty, of universal disaster. If we allowed all prescriptive rights to property, which had been sanctioned by a duration of more than 300 years, to be swept away at the instance of political caprice, and to suit the exigencies of a party struggling for office, what security could there be for property of all other descriptions ? Was it fair and just to the descendants of men who undertook as it were to colonize Ireland for the purpose of assisting to promote British interests ? If it had not been for the supposed security of the Protestant religion under the full guarantee of the whole power of England, the emigration of English and Scotch settlers in the seventeenth century would not have taken place, and we should not have possessed in the population of Ireland that loyal element which desired to remain British in allegiance to the Crown, in legislative union, and in the profession of the same religious creed. The Protestants in Ireland, and in the northern provinces especially, would feel deeply the proposed infringement of what they had a right to assume was their recognized position. Let the House remember they had always been the best friends of this country in all periods of danger and difficulty. The English Church had been built up at British instigation, and its friends objected to the sudden reversal of the policy of centuries, which alone had maintained in Ireland the germ of a friendly connection with this country. In dealing with a purely Irish question upon party grounds the Parliament of the United Kingdom was assuming a vast responsibility, and that at a time particularly inopportune, because its days were numbered, and any solution it could arrive at could not in any way be considered permanent. Why, therefore, should the peace of Ireland be prematurely endangered ? Why should man be set against man, when disaffection was rampant and stalking through the country ? Was it to be done merely because it suited parties to raise the hustings' cry of religious equality, which in this case meant nothing more than pulling down one form of religion in order to establish another? No doubt such an intention would be disavowed in that House ; but the matter was easily understood in Ireland, and the object was scarcely denied or contradicted in certain circles of society. The Irish were naturally a religious people, and they would not long permit the absence of a State recognition of religion. They might do without it for a few years ; but he felt certain that the disestablishment of the Protestant Church there would inevitably be followed by a vigorous and unscrupulous struggle to raise up another ecclesiastical Establishment on its ruins. As a resident Irishman, and one strongly interested in the internal order and prosperity of the country, he at once admitted that he would not refuse, in a further reformed and new Parliament, to consider and accept certain modifications with regard to the position of the three chief Churches existing in Ireland. He would desire to see a satisfactory arrangement made by the State for adequately endowing the Roman Catholic Church, and liberally increasing the Grant to the Presbyterian Churches, so that the officers of each religion in Ireland might be placed in a more suitable and, at the same time, in a more thoroughly independent position. This, however, should be done without any infringement upon the endowments of the Episcopal Church in Ireland. In his opinion, and that of the people among whom he lived, her revenues belonged to herself, being derived, as they were in a great measure, from individual benefactions, after being confirmed and ratified by repeated Acts of Parliament. A halfpenny in the pound of additional income-tax, if properly distributed, would place every officer of religion belonging to the Roman Catholic and Presbyterian Churches in Ireland in a suitable and proper pecuniary position. If England was in earnest in the promises of good-will she had been lavishly making for the pacification of Ireland, he would suggest that this aid should be spontaneously offered, feeling sure that it would be gratefully and advantageously accepted. All parties seemed agreed that Ireland's great grievance was proprietary absenteeism, and would not that be greatly increased and aggravated by any weakening of the Protestant Church ? We had been trying to induce the landowner to reside upon his estate ; would he be more inclined to do so if we destroyed his Church and deprived him of the comfort and consolation derived from the presence of his clergyman ? Common sense and reason forbade it, and he maintained that it would be impossible, in many rural and sparsely-populated districts to keep up even the semblance of a Protestant place of worship if voluntary contributions were solely to be depended upon. The social condition of the Protestant clergyman must be deteriorated, and in the present condition of Ireland that must be considered not a social only, but would be a national calamity. A compilation of figures had been made one of the groundworks of the argument in favour of the Resolutions; but how fallacious must it be when the whole population of Ireland had been for years retrograding. The loss to the Roman Catholic Church had been reckoned at one-third, whilst the loss to the Protestant Church, from emigration and other causes, had been less than one-fifth. He maintained that the position of the Church was now stronger, because more efficient, than at any anterior period. The clergy were almost universally resident, and pluralities had been almost entirely abolished ; and until this question had been recently disinterred from the oblivion in which, happily, it had rested, there was no disposition amongst the people of Ireland to re-open the question of religious endowment. But there was yet an additional fact which ought not to be forgotten in England. He was one of the last persons who would desire to widen the breach of religious asperity, or make invidious or sectarian comparisons ; but when a subject which involved the future peace of Ireland was discussed, was it possible to overlook the fact of the vast amount of industry and energy which characterized Protestant Ulster as contradistinguished from the misery and disaffection which abounded in the Southern and Western districts. Which class of the population cost the Imperial Exchequer most ? In the Protestant North there were few soldiers and fewer police—not amounting to one-third of the available force stationed in the South and West. Was it possible to deny that this superior prosperity, order, and morality were attributable to the influence of the two Protestant Churches ? He could assert that from the day they undermined the loyalty of the Protestant population in Ireland by alienating their affections—as they would do by passing the Resolutions before the House—they might date a change in the Government of the country which he feared would prove not only overwhelming, but also insurmountable.

MR. M'CULLAGH TORRENS said : Sir, fault has been found with the speech of the noble Lord who moved this Amendment for want of candour. But candour is of two kinds—that which is articulate and that which is mute ; and there is a silence which is more significant than any speech. The noble Lord uttered some admissions for which we ought to be obliged to him. He confessed that no man could stand up with grave face and say that this question of the Irish Church would not be the first debated in the new Parliament; that he did not think anyone would deny the scandal of the present condition of things; and that the question was not whether anything should be done, but what ought to be done? I am not surprised that these admissions should be rather too much for the noble Lord the Member for Stamford (Viscount Cranborne); but on this side of the House we received them as promissory notes at twelve months, payment of which is certain to be demanded when they are due. Meanwhile, the noble Lord asks for time, that his party may arrange their affairs; and his critics call this covering his intentions with a thick veil of reticence. But enough of the veil has been raised to show us what is behind. The noble Lord gives up sectarian ascendancy. He is even half inclined to abandon the principle of Establishment, which he calls little more than an empty title. But I agree with the noble Lord (Viscount Cranborne) that the principle of an Establishment is anything but "an empty sound." Misused as it has been in Ireland for three centuries, it has been the ever intermittent tocsin of civil feuds; and it is just because it is not an empty title that we wish to see it brought to an end. But I am bound to go somewhat further on this point, and to say plainly that if the Resolutions of the right hon. Gentleman committed us to disestablishment without disendowment, I, for one, could not vote for them. He has himself disclaimed any such intention in terms free of all ambiguity. The scheme for endowing all sects, while establishing none, in the hope of thereby directly or indirectly obtaining a controlling influence over the minds of men, is based upon notions of Government fit for a commissioner of police, but wholly unworthy of a statesman. That which gives dignity and grandeur to the principle of endowment is Establishment. It is policy in partnership with religion. The partnership may be ill-advised, or it may not; when unsuitable as in Ireland, it works ill and ends in failure. Elsewhere the union of Church and State has a different aspect. But why does it not work satisfactorily in Ireland? Because the Establishment does not represent the preponderant wealth, intelligence, or worth of the community; because from the beginning it has been, in the words of the Prime Minister, "an alien Church." Bishop Mant has this remarkable expression in his well-known history of that Church, of which he was himself a prelate, that the first step taken in the Reformation in Ireland, was the sending over Brown to be Archbishop of Dublin. Three-and-twenty Archbishops have succeeded him in the metropolitan see; and of these, sixteen have been Englishmen, but seven Irishmen. In the same period twenty-two prelates have filled the primacy, of whom I find that there have been Englishmen sixteen, Irishmen but six; and yet you call this a national Church. What manner of men these have chiefly been, and to what class they belonged, I shall have a word to say by-and-by. What I contend for is, that the representative character of an Establishment, that which can only dignify and justify the connection of Church and State, never belonged to the ecclesiastical institution which you imposed on Ireland; and it is demonstrable that, in point of fact, that institution was used systematically, generation after generation, as a draw farm whereon to fatten needy members of governing families in this country, and in Ireland, or their immediate dependents. Take the primacy in the last four reigns. It was held for thirty years by Lord Rokeby, who made the fortune of his family out of its revenues. It was next given to a younger son of Lord Bute. At his death it was conferred on Lord John George Beresford; and upon his decease in 1862, another member of the noble family of Waterford was raised to the primatial see. In 1768 a man was promoted to the rich diocese of Derry, of whom it is impossible to speak even now with the reticence of contempt — I mean Lord Bristol. Facts might be mentioned regarding him, paralleled only in the annals of the reprobate clergy of France before the Revolution. Lord Bristol was succeeded by a relative of Lord Ranfurly; and he was in time followed in the see, which was then regarded as, in point of emoluments, the counterpart of unreduced Durham, by Dr. Ponsonby, the brother of an Irish Nobleman, and the brother-in-law of the late Earl Grey. I will only instance one other diocese, that of Tuam, the population of which has always been in an overwhelming portion Catholic, and which for more than a century has, in unbroken succession, been used by the Governments of the day, whatever their party principles may have been to confer fortune and the honours of the spiritual Peerage on members of noble families. The present Bishop is the brother of Lord Bandon; the late Bishop was Lord Plunket; his predecessor was the brother of the Earl of Clancarty; his predecessor was one of the richly endowed house of Beresford; and his predecessor was an ancestor of the noble Lord the present Secretary for Ireland, son of a former Bishop of Waterford, and himself an Irish Peer. And what is the present condition of the Irish Episcopal Bench? Out of twelve prelates, who, at the present hour, bear ecclesiastical rule in that country, both the Archbishops and four of their suffragans are either Peers or the immediate relatives of Noblemen. Can this then be called the Church of the nation? Or can it be contended with any show of reason or truth that, in the sense in which the Church in England is representative of the talent, learning, worth, and piety of the community in general, the Anglican Establishment in the sister country is a national Church. For myself, I should be sorry if even inadvertently any word should fall from me disparaging of the character of the working clergy of that Church, whom, as a body, I believe to be exemplary, useful, and accomplished men. I am sure that nothing can be further from my intention than to utter a disrespectful word of the Liturgy or the tenets of a Communion, in which are numbered all who have been and who are most dear to me in life, and of which, though an humble, I have always been a sincere member. But I speak not at second hand but of personal knowledge, when I say that Anglican Protestantism in Ireland—all that is most vital and influential for good in that system of religious teaching depends, as it has long depended, not upon the legal Establishment maintained for its support by law, but upon the voluntary sympathy and support of those who value its consolations; and my firm persuasion, not of yesterday, but of a date as far back as I am able to recollect the formation of a deliberate opinion, is, that after you have decreed that compulsory payments in support of that Church shall cease and determine, its ministers will still be supported wherever there is work for them to do, by the energy and earnestness of the laity to whom they minister. I confess I have always thought it incomprehensible that the section of society in Ireland, which possesses by far the greatest share of wealth in money and wealth in land, should profess to fear its inability to do for its clergy what the Presbyterians and Catholics do for theirs. I am confident that when the Establishment shall have been brought to an end, and its present revenues shall have been devoted to general use, the Anglican Faith will continue to find many and worthy pastors in Ireland; but they will be distributed congregationally instead of parochially, and adequately remunerated according to their labours. I heard the Home Secretary dwell, I own with much surprise, upon the stipulations made and the inducements held out at the Union as reasons why Parliament should not even entertain any question affecting the Establishment of the Irish Church. It may be true that to the friends of ascendancy assurances were given, that in a united Parliament the stability of the Establishment would never be disturbed; and I will not pause to dispute that the 5th Article of the Union seems to confirm that implication. But I must say the conduct of the Government at the time of the Union and the means by which that great Act of Policy was brought about, are the last topics on which judicious friends of the Church would do well to rely. The history of that Act is one shameful chronicle of wise intentions baffled, and splendid promises unfulfilled. The intention of Mr. Pitt was, undoubtedly, by conciliating the just claims of all classes and creeds of the people of Ireland to consolidate the Empire. The project of Union was in itself unpopular; and confessedly it could never have been carried had the great body of the Catholic clergy and laity persistently opposed it. In the memoirs of Lord Cornwallis and of Mr. Pitt, there is damnatory proof in abundance that the Union could never have been obtained but for the inducement held out to the Roman Catholics, not only that their civil rights should be conceded, but that a provision should be made for their clergy. A remarkable letter of Lord Castlereagh's has been preserved, in which he expostulates gravely and temperately, but with eloquent force and point, upon the way in which he had himself been made use of to gain over the Catholics to the Union. He reminds the Premier how often the measure had been rejected in 1799; he had been summoned to attend the Cabinet where the claims of the Catholics were fully discussed, and how, being referred for official instructions to the Duke of Portland as to the intentions of the Government, he had been authorized to communicate those intentions to Lord Cornwallis, by whom they had been regarded as instructions for his guidance as Viceroy. And there is a letter describing the beneficial effects thus produced after the Union was carried, and while yet its illusions remained undispelled. On the 2nd of February, 1801, Lord Cornwallis wrote to his Chief Secretary—

> "Nobody would have believed, three years ago, that the Union, Catholic Emancipation, and the restoration of perfect tranquillity, could have taken place in so short a time."

But the Union having been carried, faith was broken; the Catholics found themselves egregiously duped; the Premier and the Viceroy, to save their personal honour, resigned; and Catholic Ireland fell back into despair; agrarian crime and political sedition resumed their alternate sway. For nine-and-twenty years the civil disabilities of the Catholics remained unremoved. Nine-and-thirty years have passed since then, and the religious disabilities still continue. The pledges given at the Union are still but half-fulfilled; and you are still unable to govern Ireland without suspension of the Habeas Corpus; prosecutions of the Press; and a garrison of five-and-twenty thousand men. I am one of those who wish to see the Union maintained, and all question of its stability set at rest. But I fearlessly assert that you have no moral claim to the acquiescence of Ireland in the continuance of the Union until you have redeemed the forfeited word by which it was carried, and without which you have the documentary evidence contained in the confession of the Minister by whom it was brought about that it could not have been carried. The right hon. Gentleman the Member for South Lancashire had been taunted with having come forward—no doubt at a great sacrifice of personal feeling—to do what he considered an act of duty—to rescue a much stricken land from its deplorable condition. Much had been said of the hasty conversion of the right hon. Gentleman, but he thought they had got beyond that. If any persons should desire to seek exemption from *Hansard* taunts, surely it was right hon. Gentlemen opposite. When last year the Members of the present Government were twitted with sudden conversion to household suffrage, what was their reply? They said they had always desired a permanent settlement of Reform if any change were to be made; and they said that they yielded from a sense of duty in the pressing exigency of the case. The right hon. Gentleman the Member for South Lancashire (Mr. Gladstone), may fairly defend himself on similar grounds. He has always been a friend of religious liberty, though hitherto a defender of the Church Establishment; but convinced at last that sectarian justice cannot be secured without its surrender he has the courage to avow his change of opinion on the subject; and, looking at the condition of Ireland and the external position of the Empire he may honestly and conscientiously plead his sense of duty as inspiring him to take his present course. Well, I am no more a sudden convert to religious equality in Ireland, than I was last year to household suffrage. The policy we are now about to initiate by a Vote of this House is one for which I have longed and striven from the day when I first entered public life. I have had some opportunities of estimating from within as well as from without the difficulties as they are called of governing Ireland. I had the honour of being associated many years ago with Sir George Lewis and other men of public worth and character, in the memorable inquiry, directed by Lord Melbourne, into the condition of the labouring classes of that country. I had also the privilege to act in a confidential capacity in the administration of the Government of Ireland by Lord Bessborough, during the deplorable period of the famine; and I can testify from personal observation and intimate knowledge of the wants and the feelings of all classes of the community that Ireland is a country as easily governed as any other upon earth, provided you will govern it justly. What was said by Sir John Davis, three centuries ago, is still true, though hitherto you have not believed it, that there is no people in Christendom that appreciates so quickly the spirit of justice in their rulers, or who value more highly the equality of laws. We had seen this evidenced during the fearful days of the famine; in the midst of all whose troubles the country was perfectly quiet and still. With the exception of one solitary outrage, there was no violence, there was no outrage committed upon property, although there was not in the island the means of restraining any which might have arisen. He believed there was no anti-Protestant feeling among the peasantry of Ireland; but, on the contrary, a sincere Catholic feeling, which he, as a Protestant, hoped would continue to exist, for of all the evils which could befall a country, he thought indifferentism was the worst. He believed our safety depended greatly on the respect in which the Irish people held their priesthood, and on the genuine and just influence which that priesthood exercised over the people, and he prayed that the opportunity of destroying that confidence between the priesthood and the people might never arise in the course which some persons, both in and out of that House, advocated, of endowing that priesthood. He did not wish to see the bribe offered or taken; the Established Church in Ireland ought to be disendowed, and its property applied to the benefit of all, irrespective of creed. The noble Lord the Foreign Secretary had inquired what was to be done with the money which would be obtained. He believed that the true application of the property of the Church would be in this wise. There were two Irish questions which were perpetually before Parliament — the land question and the Church question. Whenever the Church question was under consideration they were told that the land question was the really vital difficulty, and whenever their attention was called to the land question it was the Church which was said to be of vital importance. He believed this alternation to be a miserable trick of logic. The two questions should be dealt with simultaneously; and the property which would be obtained from the disendowment of the Church he would apply to solve the land difficulty. The great evil of Ireland had been at all times the want of a middle class; and he did not concur in the hope expressed by his hon. Friend the Member for Westminster (Mr. Stuart Mill), that a class of small peasant proprietors might be created, because the time had gone by for that species of holding. The world was tending rather too rapidly the other way, and it was impossible to go against the stream. But he did not despair of seeing the property which was now misapplied to sectarian uses ultimately applied to the creation of a permanent fund of improvement, by means of which property could be bought up at its full value, and re-let on long leases and in large farms. He could not think that anyone would be injured thereby, and as to the Church of Ireland and its Protestantism being undermined, because that which was invented by the Tudors was not perpetuated in the reign of our Gracious Queen, and because certain Bishoprics were not given to members of noble families, and deaneries to favourites of those in power, he no more believed that than he believed that the House was capable of doing a wilful wrong to any one class of the people of this country. He believed that the Anglican Church in Ireland was in the main indebted for its vitality to the voluntary principle. He remembered hearing it said upon one occasion by a witty friend that Protestantism in Ireland stooped for gold and Popery won the race. He hoped to see at an early period the Established Church in Ireland disendowed, and its revenues applied in the manner he had suggested.

Sir HERVEY BRUCE: Sir, as one of the representatives of the Protestant North, alluded to by the right hon. Gentleman the Member for South Lancashire, the House will perhaps bear with me while I make a few observations on this most important subject which is under discussion; but before I do so I must allude to the observations just made by the hon. Member for Finsbury (Mr. M'Cullagh Torrens) — observations I believe without the smallest foundation, and accusations the most unwarrantable I ever remember to have heard in this House. He has accused a right rev. Prelate who has been in his grave for nearly seventy years (a circumstance which makes proof of his inaccuracy difficult) — he has accused Lord Bristol, when Bishop of Derry, of inviting his clergy to dine with him to propound to them his disbelief in the existence of a God. I feel confident no such occurrence ever took place; and if the hon. Gentleman is as inaccurate in his assertions as to what took place in the far past, as he is in those which we cannot contradict, much value will not attach to his unsupported statement. He has told us Dr. Ponsonby was the last Bishop of Derry, ignoring altogether the existence of the late Dr. Higgins, who came to Derry as an Englishman, a stranger to us, elevated, not for aristocratic connections, but for his own merits, and who was taken from us, regretted by all who were brought in contact with him, after fifteen years' occupation of that See. The hon. Member for Finsbury wished to show that none but members of noble families were made Bishops, therefore to acknowledge the episcopate of Dr. Higgins did not suit his argument. So when he can misstate as to the present, much value will not attach to his aspersion on the memory of the dead nearly seventy years back. I will now leave the hon. Gentleman, and come to the matter under discussion; and in doing so will first explain my reasons for placing an Amendment on the Paper. It was with no wish to embarrass the Government, more particularly after the straightforward and manly statement of the right hon. Gentleman the Home Secretary. But the Amendment of the noble Lord the Foreign Secretary has been called obscure—and indeed I do not myself altogether like its wording; therefore I was determined to put down words which could not be misunderstood. I have no intention at the present time to enter upon the history of the Church, her undoubted rights, her ancient privileges, and her title to her property before the Church of Rome ever held sway in Ireland; and my reasons are two-fold. First, it has been so often and so ably done before, that anything I could say, following those so much better qualified to speak on the subject than I am, would fall flatly on the ears of the House. Secondly, as the Motion now is only for going into Committee, a more fitting time will arrive to discuss the subject from its foundation. Nor will I use the argument *ad hominem*, because in the varying circumstances of time opinions must change upon some matters. Therefore, an argument founded upon the circumstance of your opponent having once thought differently from his present convictions does not of necessity make your position right. But there are times for and modes of changing, if weight is to be attached to your change of opinion, and I cannot think that the time and mode chosen for the expression of his new conviction by the right hon. Gentleman opposite (Mr. Gladstone) will add weight or dignity to his present expression of them—a weight which otherwise must always be given to the views of a gentleman of such unrivalled eloquence, intellectual genius, and unvarying industry as the right hon. Gentleman; and I say new convictions, because they are new as far as the outside world has hitherto known, though the right hon. Gentleman tells us his more intimate friends and former constituents were well aware of his changed opinions twenty years ago. For my part, I prefer being guided by the opinions of the right hon. Gentleman as expressed in his earlier and happier days, maintained with eloquence and power during twenty-five years of his more vigorous manhood, to the new opinions, the result apparently of those more unhallowed inspirations which induced him to quote last night a passage from the most beautiful instance of faith recorded in the life of our Saviour, for no purpose of argument which I could see except to compare his Roman Catholic fellow-countrymen even to the dogs which eat the crumbs. I am told there are some on these Benches who will leave us on this occasion. I cannot understand their reasons; but I could well understand why some hon. Gentleman on the other side might consider their Leader in his newly-inspired zeal was leading them too fast, and their telling him they could not follow. And I cannot help saying I listened with the deepest regret to the speech of the noble Lord the Member for Stamford (Viscount Cranborne)—a speech of a bitterness I hope never to hear again. I cannot help thinking he accused unfairly the noble Lord the Member for King's Lynn, when he said his votes in favour of Reform last year were at variance with the words of the Resolution of the noble Lord the Member for Chester (Earl Grosvenor), which he seconded in 1866. I will take the liberty of reading the words of the Resolution—

> "That this House, while ready to consider, with a view to its settlement, the question of Parliamentary Reform, is of opinion that it is inexpedient to discuss a Bill for the reduction of the Franchise in England and Wales until the House has before it the entire scheme contemplated by the Government for the Amendment of the Representation of the People." — [3 *Hansard*, clxxxii. 1156.]

and ask the House, whether they did not rather pledge the noble Lord to support Reform than otherwise? The speech of the noble Lord the Member for Stamford was loudly cheered by hon. Gentlemen on the other side. I can understand and appreciate cheers won from an opponent by the expression of a generous sentiment; but I can neither understand nor appreciate cheers won by taunts and abuse of those among whom you sit — imputing motives to those with whom, during your political career, you have been associated in close and intimate terms; because there were portions of their policy with which you differed—a course of conduct which embraced in its censure not only the Chief, whom the noble Lord may personally dislike, but the whole of the great party who followed that Chief to victory — a victory which I believe will be for the good of the nation. I should now like to say a word to the Roman Catholic Members of the House. I cannot understand how men of undoubted honour and integrity in all the social affairs of life can reconcile it to their conscience, having regard to their oath, and the pledges made on their behalf in 1829, to vote for the abolition of the Established Church of Ireland; and I would be the last man to say a word willingly disrespectful to them, or tending to hurt their feelings, for in my political career I owe them many obligations, and I have among them many personal friends; but it seems strange to me how they can vote for the destruction of the Established Church of Ireland. If there is anything in the teaching of their Church which justifies such a course, it behoves us, as Protestants, to be more watchful over our interests. Well, then, we are told that a State Church is not necessary. Is the State to ignore its duty to provide the means of worship for its people? Is the State to say, I care not whether you have means of worship or not? Bad for a country when its Government proclaims itself indifferent as to providing the means of worship for its people. I maintain that the State ought to offer the means; but the State cannot enforce the using of the means; and what the State offers must of necessity be the religion of the State. The alliance now formed between the voluntaries of England and the Roman Catholics cannot last. They have no object in common but the overthrow of the Protestant Establishment. I should have fancied that the Church of England, with the greater liberty of opinion given to its members than the Church of Rome grants, would have better accorded with the views of the advocates of voluntaryism. But the Church in Ireland must fall, say both; hence the temporary alliance, an alliance unreasoning and unreasonable, save for the exigencies of the moment; but voluntaryism, speaking for itself, must of necessity be more hostile to the Church of Rome, with its unbounded demands for spiritual power, than to the Church of England. We are again told that in England the Established Church lives in the hearts of the people, and in Ireland that it does not. Let us analyze that statement. I ask you voluntaries of England, Does the Church of England live in your hearts? Does it live, and leave its impress on the heart of the hon. Member for Sheffield? No. I believe he and you taste it more bitterly than any Roman Catholic tastes the Established Church of Ireland. I venture to say that the Church of Ireland is more dear to its members than is the Church of England. Both, perhaps, are distasteful to those who differ; but are we for that reason to overthrow an ancient Establishment, the growth of centuries, and respected, as I know, by many of my Roman Catholic countrymen. Protestants of England, I ask you to pause. Depend upon it, if our Church falls, the argument of living in the hearts of the people will not save yours. You may endure for a little; but as surely as you destroy the Established Church of Ireland, so surely will the Church of England fall with it—the great bulwark of our free and glorious Constitution. Well, now, for a moment, let us suppose that the House goes into Committee, and passes the Resolutions of the right hon. Gentleman opposite, let us look at the position of affairs. The House will remember the Resolution passed by Lord John Russell in 1835—

> "That the House do resolve itself into a Committee of the Whole House to consider the temporalities of the Church of Ireland."

The Ayes were 322; Noes, 289: so that the Motion was carried by a majority of 33; and yet, from that time to this, no action has been taken. Let us look for a moment at the results of the Member for South Lancashire carrying his Resolutions. They go farther than Lord John Russell's, and they are intended to place the right hon. Gentleman in power. What has the right hon. Gentleman the Member for the City of London just told us? Why, it is this—that when his party is in power they can do nothing Liberal, because we prevent them. Yet, these so-called Liberals approved our Reform Bill, but when we are in power, with their assistance we can do anything. But let us suppose for a moment (a result, I believe, impossible), these Resolutions carried, the Member for South Lancashire in office on the strength of them, what is the position of affairs? All action in the Church of Ireland suspended by the passing of a simple abstract Resolution in this House, with no Act of Parliament, and, perhaps, another thirty-five years (the Liberals having gained all they want, and returned to power), may go over our heads before an Act of Parliament is passed, either to sanction or disapprove of these abstract Resolutions, which would in the meanwhile stop all action in the Church, and leave matters in hopeless confusion. This Church is called an "alien Church." Its history, when the time comes for again reciting it will be proved to be otherwise, and it was promised to us—what in other times would have been called secured to us—by the Act of Union, and yet your English and Scotch Members propose to take it from us; for I venture to assert that the Division List will show that Irish Members by themselves would respect its prescriptive title. The right hon. Member for South Lancashire has told us there are anomalies in the Church. When are there not anomalies in everything? We have often been told that anomalies are the glory of our institutions. Well, the right hon. Gentleman has produced two. If there were more, his research would have discovered them. I say at once, reform them if they are there. Let no such abuses exist; but for such things do not overthrow an ancient Church, the growth of centuries—a Church established before the See of Rome pretended to have sway in Ireland; and if we talk of anomalies, is it no anomaly that the worthy Baron the Member for the City of London, with his wealth of European extent, should simply have one vote in the return of its Members, on equality with the man who occupies a house and pays his rate. I do not say such a state of thing is unjust. All I say is, is it an anomaly? Now for a moment, before I sit down, let us look at the reasons given for the necessity of at once overthrowing the Establishment first to satisfy the demands of the Church of Rome. Has not that Church told us by its ministers that the Establishment, though a grievance, is by no means a first-class one—that there are others of far greater importance lying behind. So you wound in their tenderest feelings the most loyal portion of your Irish fellow-countrymen; because this question will offend all Protestants; and I have not sooner alluded to my Presbyterian brethren, because the present question does not at once affect them; but if the Establishment goes, the small and far too small pittance which has been given to them will go to, the rights of property will follow, and then the Repeal of the Union. Your second reason for urging the necessity of immediate action is the suspension of the Habeas Corpus Act; but you thoroughly misunderstand the feeling of Ireland. You try to meddle with us; you mistake the ravings of demagogues who trade upon the credulity of an excitable, but kindly and easily governed people, for the feelings of a nation. Treat us kindly; do not be always offering legislation impossible, and raising expectation where you cannot perform. Do not suppose the conduct of strangers from another land let loose upon Ireland to be sanctioned by the masses of her people. Ireland is loyal, but Ireland is excited; and because she is so, how do you propose to legislate? You offer a sop to one portion of her population, certainly not that portion most attached to your rule—a sop which they tell you plainly they regard but as a very small instalment—confiscation of property, and Repeal of the Union, being the further demands. Are you prepared for such concessions? If not, why wound in their most cherished convictions, and injure in their most inalienable rights, that powerful portion of your fellow-subjects, who, in your hours of difficulty and danger, have been your firmest friends? Pause well before you enter upon the path proposed to you. Think of it. Consider whether the affections (you may be sure of their loyalty) will be of more value to you than the praise of demagogues, who, having raised themselves by appealing to the passions of a people, care not for the people when their own objects are attained, and have no abiding influence. I will only make one quotation, but I wish to read to the House the words of a very eminent Roman Catholic Judge, lately passed from amongst us—Mr. Justice Shee. What does he say of the Established Church?—

> "The Church by law established is the Church of a community everywhere considerable in respect of property, rank, and intelligence; it is strong in the prescription of three centuries, and in the support which it receives from the supposed identity of its interests with those of the Church of England. Nothing short of a convulsion, tearing up both Establishments by the roots could accomplish its overthrow."

I will now say a word to the right hon. Member for South Lancashire. Two years ago, he said to us with menacing gesture, "Be wise! And be wise in time." I now say to him, Beware, lest the brittle ladder upon which you hope to rise to power break beneath your weight, and overwhelm you in its fall; or if, on the other hand, it shall acquire the momentary strength to raise you to that giddy eminence you—having sapped the foundations of an ancient Empire—should, instead of finding yourself the ruler of a mighty nation, worthy the ambition of a statesman, discover too late you were only the Minister of divided kingdoms, only worthy of a man who loves power more than his country.

MR. CARTER said, that he should not have offered himself to the attention of the House, even for the few moments that he should occupy it, but for the fact that his election had taken place since the day on which the Resolutions of the right hon. Gentleman the Member for South Lancashire had been placed upon the Paper. The result of that election, therefore—bringing as he did the opinions of his constituents fresh from the hustings—might be taken as some indication of the course of opinion in the country on the subject of the Irish Church. That consideration alone was his excuse for trespassing on the attention of the House. His opponent was one of Her Majesty's Counsel, a learned gentleman with whom in eloquence he could not pretend to compete, and who had laid before the constituency the reasons which naturally occurred to him against the Resolutions of the right hon. Gentleman. His constituents, however, were plain men; and they could not understand why an injustice, which it appeared no one was prepared to defend, should be allowed to remain for a single day beyond the time when it could be removed. They could not understand how delay in such a case could be anything but a new injustice; and it appeared to them that there ought to be no delay in remedying the existing state of things. During the election, the subject of Ireland and the position of the Irish Church had occupied a main part of the attention of his constituents, who could not be made to understand that it was just, or wise, or fair that the Church of the few should be dominant over the many. They thought that the sooner such a state of things was put an end to the better; and instead of returning the eloquent gentleman, who would have opposed the right hon. Gentleman's Resolutions, they had returned a much more humble individual, because they thought he would more truly represent them. He (Mr. Carter) hoped the House would consider that some weight was to be attached to so recent an expression of opinion. His own opinions entirely coincided with those of his constituents on the subject before the House; and it would be the greatest satisfaction to himself—no less than his duty—to give his first vote in the House of Commons in support of the Resolutions of the right hon. Gentleman, and against the Motion of the noble Lord the Foreign Secretary.

MR. SERJEANT ARMSTRONG said, he had heard with astonishment the allegation that there was any substantial novelty in the proposition before the House. He admitted that a Resolution so conceived and so exactly expressing the direct object in view as the present one had not hitherto been brought before that House; but, from the course of events and the drift and tenour of the public mind on that question, any man might easily have foreseen for years past that the time was fast approaching when that Resolution would be introduced; and he himself three years ago on the hustings at Sligo had ventured to predict that the right hon. Member for South Lancashire would be the person to introduce it. The frank and honest speech of the Home Secretary that night had removed the mask under which the Foreign Secretary had sought to debate that question, and to shroud the opinions of the Cabinet. The right hon. Gentleman could not have spoken in the eloquent manner he did without belief in the soundness of the position he was advocating. The cheers with which that speech had been received, not only behind the Treasury Bench, but upon it, was a distinct announcement to the House and the country that the issue now raised was simply this—should Protestant ascendancy in Ireland be maintained at all costs and all hazards, or should that country in future be governed on the only principle on which he believed in his conscience it could be governed consistently with the safety and the integrity of the Empire—namely, perfect equality, religious as well as civil? As a Member of that House and a lawyer, he certainly would not advocate any measure involving a violation of Her Majesty's Coronation Oath, or interfering really and substantially with the Articles of Union; but what, he asked, was the object of those hon. Gentlemen who had moved that the Coronation Oath and part of the Act of Union should be read before the opening of that debate? Why, evidently to frighten the House from its propriety. He supposed it must have been some consolation to hon. Gentlemen opposite to have the Oath read, as they had greeted it with cheers. But what had the Solicitor General, the responsible Law Adviser of the Crown, told the House on that very point? Why, that he had considered the Coronation Oath, and that, in his opinion, the Royal sanction to an Act of Parliament disestablishing the Irish Church would involve no violation of that Oath, and that he could not as a lawyer pretend that it would. There was not a lawyer in that House—nay, he would go further, and say that there was no gentleman of education versed in the terms of plain language who believed that the Coronation Oath pledged the

Royal conscience to do more than govern the country in accordance with the statutes then or thereafter to be passed. When certain Archbishoprics and Bishoprics were suppressed by the Church Temporalities Act, was it suggested that the then Monarch violated his Coronation Oath in giving his assent to that Act? But then it was said that the right hon. Gentleman's Resolutions were an interference with the Act of Union. He had always understood that the present Parliament represented both the parties to the Act of Union, and that the same authority which made that or any other Act could repeal it. He maintained that there was nothing in the Union to prevent the repeal either of the Union or of any Article in it. They now had the authority of the Solicitor General of England in support of this proposition, and he hoped they would hear no more twaddle either about the Coronation Oath or the Act of Union. The property of the Irish Church was committed to a certain corporation upon a certain trust. The distinguishing mark of private property was that it could be alienated; but the Church could not alienate an inch of property. A most unfounded statement had been made that the Roman Catholic population looked upon the Irish Church with complacency. Knowing the people of that country intimately, he believed that they saw in that Church an existing symbol of the oppression to which they had been subjected. They derived no comfort from its ministrations. They did not believe in its doctrines, and they knew that some of the clergy who were esteemed the bulwarks of that Church were employed to vilify the Church of the Irish people. It was said that the Irish Church was supported by the landlords, but that would open a wide question. Whatever political economists might say, the Irish people understood perfectly well that they paid the Church and the landlord too. He remembered having a conversation with a plain man, one of a party who were at work in a field getting potatoes, and who asked him, "Is it any harm, Sir, for a clergyman to speak to the priest?" If there was a rural parish in Ireland in which the Roman Catholic priest and the Protestant clergyman exchanged words it was the exception. Though the Protestant clergyman had a congregation of, perhaps, only two or three people, and the mass of the population were Roman Catholics, he was an aristocrat, and looked upon the priest as an intruder. In the cities, owing to there being more of social intercourse and from other circumstances, the case was different; but, as a rule, there was a total estrangement between Protestants and Roman Catholics, and this was owing to the maintenance of a Church which the latter regarded as a symbol of oppression. When he said to the peasant to whom he had before referred, "The landlord pays the tithes," the man replied, "But who pays the landlord?" The feeling pervaded the peasantry—and he believed that the feeling was undoubtedly correct—that they themselves paid for the Irish Church. The question really was, was this Church an insult or a grievance to them? Such a state of things would not be tolerated in England; nor would anyone think of introducing *a priori* such a system into Ireland. Then came the question, ought the Church to be continued, and the question was not so much an Irish as an Imperial one. There ought to be no occasion for the standing army which was now in Ireland; nor would there be only for the efforts made to uphold ascendancy. The Government and Parliament ought to at once decide whether Ireland was to be governed on the principle of ascendancy or that of religious equality. Nothing could be more unconstitutional than to say that this House of Commons was moribund, and incapable of expressing an opinion. It was true that it could not bind its successor; but it could send a message of peace to Ireland, and the announcement that justice was to be done would have a most beneficial effect. The statement of the noble Lord the Chief Secretary for Ireland, that the Church Establishment could not be put an end to without a fierce and protracted struggle, had brought out the Liberal party, who had a Leader who would conduct them to victory. All the talk about what the Orangemen of Ulster would do was mere bluster. They had threatened a great deal before the passing of the Catholic Emancipation Act; but when it passed they returned to their fields and their looms, and had remained there until very recently, when more auspicious times seemed to afford them an opportunity of again disturbing the country. There was no danger that the Protestants of Ireland would be alienated by a measure such as that proposed by the right hon. Gentleman the Member for South Lancashire. He (Mr. Serjeant Armstrong) did not believe that the disestablishment of the Protestant Church would abate the loyalty of the long-pampered population of the

North of Ireland. It was assumed that there was an unanimous feeling among Protestants in Ireland upon the matter; but this was by no means so. He did not wish to speak with any disrespect of the clergy of the Church, of which he was a member; but he must say that the clergy were like other people who were paid in an inverse proportion to their work. He made this remark because what they were about was spoken of as though they were going to sacrifice an army of saints, when in truth there were among the clergy good, bad, and indifferent. His experience of them was that, while they did their duty in the Church, they troubled themselves very little about what their parishioners or the children of their parishioners were doing at home. He knew a parish close to the palace of Armagh, where a visit from the rector to a humble Protestant was never known; and it was a constant complaint in Dublin and other places that the Protestant clergyman never visited his flock unless to ask for a subscription towards a charity. If one wanted to hear eloquent sermons in Dublin the churches in which to hear them were those which were supported by pew-rents. It was not the fact that the clergy of the Established Church in Ireland held that place in the affections of the laity which some hon. Gentlemen would lead the House to suppose. Too much must not be expected even from the disestablishment of the Church, for there were other things behind it. He was not one who was frightened by the term "revolution," and, indeed, it was a mere term. The settlement of the land question on a fair basis would, however, rapidly follow; for the difficulty on that point consisted in the refusal of the landlords to grant leases: that refusal was designed to wield political authority over their tenants, and the object of that authority was the maintenance of Protestant ascendancy. The Church and land questions were thus closely connected, and the settlement of the former would pave the way for the social regeneration, of Ireland. He supported the Resolution because he believed the right hon. Gentleman by whom it was proposed was heartily prepared to carry out a policy which would allay agitation, banish discontent, and diffuse loyalty and tranquillity over the length and breadth of the country.

COLONEL STUART KNOX said, after the able, manly, straightforward, and he might say glorious speech—not of the hon. and learned member for Sligo (Mr. Serjeant

Armstrong), but of his right hon. Friend the Secretary for the Home Department—he should not have thought it necessary to take a part in this discussion; but that, being the Irishman that had ventured to interfere between the House and the Motion of the right hon. Gentleman the Member for South Lancashire, by moving that the 5th Article of the Act of Union be read by the Clerk at the Table, he felt it his duty to say a few words in justification of the course he had pursued. He looked upon the Act of Union as the safeguard of his country, and, although he could not justify the means by which it was obtained, he contended that the ends had been of advantage to Ireland. He saw in the proposal of the right hon. Gentleman the destruction of the fundamental Articles of that Union, and virtually of the Union itself. For what, he asked, would come next? Why, hon. Gentlemen opposite would begin to clamour for a Parliament on College Green. For his own part he would rather have met the Resolutions of the right hon. Gentleman by a distinct negative; but, like a shipwrecked sailor, he was willing to seize upon any plank that offered safety. He believed that that plank had been honestly thrown out by Her Majesty's Government, and the speech of the right hon. Gentleman the Secretary for the Home Department proved to him that such really was the case. If the Resolutions of the right hon. Gentleman should be adopted, what would be the result? How, he asked, would the Coronation Oath be affected? They had heard from the hon. and learned Gentleman who spoke last that it was all a pretence. Was that true? Would Her most gracious Majesty look on it as such? Was it possible that she would be asked, by a mere Resolution of the House, to violate it? He did not venture to say so. The Resolutions of the right hon. Gentleman (Mr. Gladstone) called in effect, upon Her Majesty to violate her Oath. He looked upon the proposition of the right hon. Gentleman as the most cowardly one that had ever been made in that House. Why had not the right hon. Gentleman undertaken to bring in a Bill upon the question? And what about the oath which he had taken as a Privy Councillor? Did that justify him in the course he was pursuing? But leaving this as a matter for the right hon. Gentleman's own conscience, he would ask, whether the effect of the Resolutions before the House would not be to alienate the loyal and honest people of the North of Ireland? He would ask the right hon. Gentleman whether he really believed that this proposed robbery and spoliation of the Irish Church would satisfy the people of Ireland? It was ridiculous to suppose so. The right hon. Gentleman said that the opinions which he held twenty-five years ago upon this subject were somewhat similar to those he now expressed. It appeared, therefore, that although he was then Member for the University of Oxford, he was always ready to aid in putting down the Established Church in Ireland. Did not the right hon. Gentleman obtain votes at the last election for the University of Oxford, when he was a candidate, from dignitaries of the Irish Church under the belief that he would give his support to the maintenance of the Irish Church? Until the right hon. Gentleman answered that question by a negative, he (Colonel S. Knox) would assert it as a fact. A good deal had been said about Protestant ascendancy in Ireland—they wanted no ascendancy—they had none. The only penal law in operation now was one against the Protestants. They had the Processions Act in existence which was a penal law only against the Protestants of Ireland. All they asked was that the law should be made to apply to all parties in the country, and then they would willingly support it. The right hon. Gentleman's proposal to buy off the rights of those interested in the Church savoured very much of what the right hon. Gentleman had himself said about "trick and contrivance." He contended that the property of the Irish Church was the property of the members and not of the ministers of that Church. The hon. member for Sligo (Mr. Sergeant Armstrong) spoke of the clergy of the North as living merely for their own interest and benefit. That was untrue. He (Colonel S. Knox) knew that the clergy of the North—both Protestants and Presbyterians—devoted their time and attention to the interests of their parishioners. The taunt was an unworthy one, and should not be cast upon so estimable a body of men. A Radical Friend of his (Colonel S. Knox's), a Member of that House, had recently told him that they (the Radicals) had succeeded in getting nearly everything but the Crown. This he feared was almost true; and therefore it was that he stood up to protect the Crown and the remnant of the Constitution.

Mr. O'REILLY remarked that the 5th Article of the Act of Union, which had been so frequently referred to, provided for the maintenance, doctrine, discipline, and government of the Church of Ireland, but contained not a word respecting its endowment or its ascendancy in the country. One of the arguments advanced in favour of the Established Church in Ireland was that it was a missionary Church, and there was another argument that lay behind, which was that it was an English garrison. As to its being a missionary Church, he could not better describe its position than by quoting the words of a beneficed clergyman of the Establishment — Dr. Gregg, incumbent of St. Nicholas Within. That gentleman said—

> "I am a beneficed clergyman, but without cure of souls. I cannot help that. Every man's vocation is what God has given him. My vocation is to hold my tongue."

And then Dr. Gregg proceeded to say that he himself had taught the whole Roman Catholic population of Dublin, though he was a sinecurist of St. Nicholas Within; for, though he preached every Sunday in an empty church, yet, when he stood in the midst of Roman Catholics and told them they were going the broad way to destruction, he was thereby teaching them and doing his duty. Well, the Established Church in Ireland had been a missionary Church for 300 years, and what had been its fruits? He did not wish to rake up the memory of evil days, though they had been told to-night by the Home Secretary that it was only forgers of tales that had invented such legends to delude the Irish people. Now, he would tell the right hon. Gentleman that the bitterest edicts against the Catholics of Ireland had been signed by prelates of the Established Church—from Loftus to Hoadley—the first of whom ordered the torture of Archbishop O'Hurley, and the latter signed the last edict against the celebration of the Mass. It was necessary to recal some of this bitter history in order that it might be understood in what manner this missionary Church was regarded by the Catholic population. It was but little exaggeration to say of that Church that its text to the Irish people was, "I came not to bring peace, but the sword." Now, what were the results? The Protestant religion was first introduced by law into Ireland in 1537. It was re-established in the beginning of the reign of Elizabeth. Nearly 100 years after, or in 1641, Sir William Petty — no contemptible authority — stated that the population of Ireland was

1,466,000, of whom the Protestants were 224,000 and the Catholics more than 1,250,000. Then came the only really successful missionary of Protestantism in Ireland, who really did increase the relative proportion of Protestants — Oliver Cromwell. He came with a Bible in one hand and a sword in the other, and sought to exterminate those whom he could not convert, and it was remarkable how successful he was. Within eighteen years after Sir William Petty had given the population of Ireland as nearly 1,500,000, that population was reduced to exactly 500,000; of whom 83,000 were Protestants of English or Scotch birth, and 150,000 were Irish Protestants of an earlier date. These numbers are taken from the Census of 1659, lately discovered among the Lansdowne Papers. Therefore, after the exertions of Cromwell, the proportion of Protestants to Catholics was exactly equal. This missionary Church, supported by the law, continued its efforts until 1834, and then the proportion of Protestants in Ireland had sunk to 20 from 50 per cent. Then came other successful missionaries of the same sort — the famine of 1846, and the pestilence of 1847 — which raised the proportion of Protestants to 22 from 20 per cent. But let them examine how matters stood in the metropolis, for there was no part of the country where the law-Established Church was so strong, so well endowed, or had so much wealth, intelligence, or education. In 1664, the population of Dublin consisted of 5,500 Protestants and 2,400 Catholics; or in other words, the Protestants were as two to one. In 1861, the Protestants of Dublin were 56,000, the Catholics 196,000; or, in other words, the Protestants from two to one had become to the Catholics as one to three. Such had been the result of the missionary efforts of the law-protected Church. How could it be otherwise? Even truth could not prevail, if loaded with such a weight of injustice, if linked with such a memory of wrong. Then there was the other argument which lay behind, that the Anglican Establishment was an English garrison. In the last *Quarterly Review* these words were used—

> "The Protestant garrison in Ireland, with whom we cannot break without gravely imperilling the integrity of the Empire, will not hear of such a proposal."

And Chief Justice Whiteside, when a Member of that House, had made use of the same argument, for he said that as soon as they destroyed the Irish Church they would destroy the Monarchy, and uproot British power in Ireland. Now, he would meet that argument completely and boldly. He (Mr. O'Reilly) would admit it was in a great measure true that the Anglicans in Ireland were zealous supporters of English institutions. But, suppose it was India, not Ireland, they had to deal with. Suppose they had for centuries persecuted the religion of the Hindoos—that they had established a privileged class, few in number, among them, and had set up in every district a church and minister that were not the Church and minister of the people—did they think they would want to inquire whether English rule was popular in India or not? Was it not plain that as long as England upheld the ascendancy of a class, she must expect the alienation of a people? Well, what was the garrison worth? Its loyalty was lately stated by one of their principal orators, amid loud cheers, to be conditional. Then it was said it was impossible to conciliate the Roman Catholics. It reminded him of a story of O'Connell's. A man complained to him that he could never fatten his horse, though he tried all the quack medicines he could get. Whereupon O'Connell asked him, "Did you ever try oats?" Let them try equal justice for Ireland. The Irish Roman Catholics were quite content in Canada and elsewhere out of their native country, simply because they had equal rights and equal justice away from Ireland. The assertion that the Roman Catholics do not care for the ascendancy of the Church was answered most emphatically by a protest signed by every Roman Catholic of rank, of birth, or of position, as well as from the great mass of the people, in numerous petitions to the House, and but for the prudence of the leaders, the answer would have been sent back from hundreds of angry meetings. So long as the Irish people loved justice and hated wrong, so long would they resent what Mr. Burke so well describes as "wholesale robbery." Both clergy and laity declared that they would not accept any portion of the property at present enjoyed by the Establishment. As many as 2,000 churches had been built at a cost of £3,500,000; every district had an Anglican church, built out of the funds of the nation; and the Roman Catholics of Ireland might now fairly ask that England should give back the mouldering ruins of their monasteries and churches, and the lonely graveyards, where rested the ashes of their dead. Let not the House proclaim themselves, as they had been invited to do, morally incompetent to do justice, or they would also proclaim themselves morally incompetent to enforce obedience. If the people of Ireland could not look to England for justice, they would look to the West for revolution. [" Oh, oh ! "] Let not hon. Gentlemen opposite misunderstand him. He had never advocated revolution, and he now said that under no circumstances would he recommend it; but it was not wise to tell the people of Ireland that they must not look to Parliament for justice. If they did so, the natural consequence was that they would look Westward. The tree of oppression and injustice would bear its bitter fruit in alienation and discontent; but do justice, and we should meet any shock of foreign war or invasion with the strength of a contented and united people.

MR. SCHREIBER said: Mr. Speaker, Sir, the hon. and learned Gentleman who spoke last but one from the Benches opposite (Mr. Serjeant Armstrong) with cruel skill protracted the painful operation which is familiarly known as that of "catching your eye;" but even at the price we paid, we should be sorry to have missed the last remarks of the hon. and learned Gentleman. The overthrow of the Irish Church was, he confessed, to be the prelude to a "revolution," but we were not to be frightened at the word. The hon. and learned Gentleman began by pulling down the Orange flag, but before he ended he raised the red flag in its place. Sir, I highly appreciate the candour of an opponent, which admits the whole matter in dispute. Now, Sir, during the short time that I have had the honour of a seat in this House, questions of the gravest interest have been before us, and some of them have been solved in a manner the very opposite of that I could have wished: but none has ever caused me so much anxiety and pain as the question raised by the Resolutions of the right hon. Gentleman. Because, connected as I am by many ties with Ireland, and knowing the Irish people well, I cannot banish from my mind the melancholy conviction that, whatever may be the immediate issue of this debate, the day which saw those Resolutions laid upon the table of this House will be the beginning of many sorrows both to Ireland and this Empire. It was therefore, Sir, with profound satisfaction that I heard the speech of the Home Secretary earlier in the evening. It did much to redeem the debate from the air of unreality which marked the discussion of the previous night. Its earnestness corresponded with the gravity—I might say, the solemnity—of the occasion, and it furnished a saving contrast to the speech of the noble Lord the Member for King's Lynn (Lord Stanley). It is true his speech was exhaustive of the question of present time and opportunity, but it gave no assurance that, in the opinion of Her Majesty's Government, the disestablishment of the Irish Church never could be opportune. I have said that the speech of the noble Lord was exhaustive of the question of present opportunity; but there was one consideration which he forgot, and which as Foreign Secretary he might have been expected to remember. Foreign governments, Sir, know nothing of the necessities of the Liberal party, and when they see this sudden proposal in the face of a dangerous conspiracy, which has been rather "scotched" than "killed," they will think that England is yielding to the Clerkenwell syllogism what she refused to reason and to justice. These Resolutions at the present juncture will be, in their eyes, a tribute to the importance and the strength of Fenianism; and if capitulation to Fenianism is an ultimate necessity for England—which I deny—at least her dignity in the eyes of foreign nations might have been saved by its postponement for the present. With this remark I leave the question of opportuneness, and come to that of expediency. These Resolutions are to be a "healing measure" for Ireland. Whoever says that, believing it, knows little of the Irish people. They will largely alienate Protestants from the English Government; they will not conciliate a single Roman Catholic. The antipathy of the native Irishman for England is not primarily a matter of religion. It is the hatred of the conquered for his conquerors, who have confiscated the soil. That is a fact which we did not create; but which we inherit, and which we cannot but too plainly recognize. There is no Irish peasant, Sir, who is not "crazed" upon the question of his title to the land which we have taken from him. [MR. OSBORNE : What nonsense !] Well! the hon. Gentleman will have an opportunity of expanding that remark in a speech which will no doubt be replete with eloquence and good taste. The fact being as I have stated it, it is now proposed to conciliate the native race by taking from one of the possessors—the Church—her right to one-tenth of the produce of the soil. Yes, Sir, but nine-tenths remain behind; and while they remain the native Irishman encouraged by concessions, will never be conciliated. But that is not all. Behind there lie the priesthood and the hierarchy of a Church whose policy it is to prevent the Roman Catholic population ever being reconciled to the Government of a Protestant country. They know the deep feeling of the peasant on this question of the soil, and they keep it alive and foster it for use. They are using it now against the Protestant Church, and when the time comes they will use it against the possessors of the land. [*Cheers and interruption.*] Well, it is not I that say this; I will read you what was said by a Roman Catholic newspaper, *The Tablet*—

> "If the Irish Church Establishment were abolished to-morrow; if its churches, lands, and rent-charges were applied to secular and even to Catholic purposes; or if the Catholic Church were put upon a level of perfect equality, we should only have dealt with one symptom and not have reached the seat of the disease. The wound of Ireland is, that whereas the great majority of the population are Catholics, such a large proportion of the soil belongs to Protestants, and that Protestants form such a large portion of those classes which are raised in social station higher than the others."

That, I apprehend, is an authority—not mine—which Roman Catholic gentlemen will no longer question. Sir, the noble Lord, the Foreign Secretary, in a few words he said last night, showed that he perfectly understood what is the real Irish question. He said it was the land; and he glanced at the habit of Irish tenants-at-will disposing of farms to their relations. But why does the Irish tenant do that? Because he believes the soil to be his own to dispose of; and if we surrender to him the temporalities of the Church, it will only stimulate his appetite for more. Well, then, shall we strengthen the Union? Sir, we repeal it in idea, by legislating for Ireland as a distinct and separate country. We repeal it in effect, by estranging and exasperating the loyal friends of the English interest and connection. And what will you gain in return? The increased contempt of the enemies who trade upon your fears. But will you promote religious peace? The Church of Ireland now mediates between extremes. Her overthrow will leave room for the zeal of none but voluntary agents. In what spirit, do you think, will the battle of opposing creeds be fought when Exeter Hall supplies the funds which disendowment will withdraw? These Resolutions, Sir, will bring not peace, but a sword. It seems, then, that there is little in expediency to recommend them, But, shall we violate no principle by their adoption? Yes, Sir, the principle of the solemn and public dedication of money to the highest uses to which money can be put—a principle in comparison with which the fate of Ministries and the ambition of a Minister, in my sight, are as nothing; and in the long days of trouble and excitement which now lie before us I so intend, Sir, to regard it. Well, then, what are, or were, or ought to be, the forces at the disposal of Her Majesty's Government wherewith to fight this battle? Till last night they might have commanded the unswerving allegiance of every man who regards as sacred the principle of an Establishment. They might have summoned to their aid the zeal of every Protestant who sees in the overthrow of the Irish Church an aggression of the Roman Catholic hierarchy. Because, Sir, the Irish Church is not only Protestant, but she is established; she is not only established, but she is Protestant. Such, Sir, is the affluence of strength which the Prime Minister seems not indisposed to squander. He chills the zeal of every Protestant by a charter to a Roman Catholic University; and he puts up his Secretary for Foreign Affairs to alienate Churchmen who would have fought for an Establishment. The Roman Catholic charter, Sir, is an anachronism and a blunder. Is it to be persisted in? The desertion of a Church Establishment is an apostasy which no Conservative Government can commit and live. But, Sir, "when bale is at highest, bote is nighest;" and if the debate of last evening filled us, at its opening, with dismay, we have had comfort in its course. We have seen that there are men in this House ready to devote their high powers and great influence to the defence of the Protestant Established Church of Ireland; and in my noble Friend the Member for Stamford, and the Home Secretary, we have found Leaders whom any man might be proud to follow in such a cause. They never "palter in a double sense" their language is plain for all to understand; and their earnestness will find a responsive chord in the heart of the great English people. With such leaders, Sir, all is not yet lost. Large masses of educated and Protestant opinion will rally to their side; and, with the aid to be looked for from "another place," we shall be able to maintain a protracted struggle before we suffer this deed of injustice to be done. And, if we fail, at least, Sir, we shall fail with honour: but we shall not fail; for, in the hour of our need, the Protestant people of England will defend the right. Sir, to the proposal for going into Committee on the Resolutions of the right hon. Gentleman I shall oppose a hearty negative. As to the vague and colourless Amendment of the noble Lord—which I hope will be withdrawn—I do not know that I shall care to walk into the Lobby in its support.

CAPTAIN WHITE, as the representative of an Irish constituency, felt that he could not allow that question to be discussed without taking part in the debate. He confessed to having experienced, in common, he believed, with a majority of that House, and the whole of the Irish people, a feeling of intense disappointment at hearing the intentions of Her Majesty's Government to pursue in this matter a policy of procrastination and delay which must be as dangerous to their own existence as it was distasteful to the Irish people. It was obvious, however, that the time had at length arrived when, at the hands, if not of the Government, at least of the Imperial Parliament, the Irish Church, like other ancient institutions, in a Reformed House, must undergo a searching scrutiny, which could only result in a complete and radical reform. That such reform was necessary, he conceived there could be no reading or thinking man who would deny; for no one who knew anything of Ireland could assert that the ecclesiastical arrangements of that country were in a satisfactory condition, with the exception of a party whose line of action was predetermined, and whose representatives were bound to support the Established Church, and upon whom, of course, all arguments, however forcible and convincing, were thrown away. The disputants in this question had resolved themselves into two great parties—one for a broad scheme of reform, based on the re-distribution of Church revenues, yet advocates for the retention of the Establishment; and the other, those who urged those arguments—first, that the Irish Church was an anomaly of the most unparalleled nature, when they considered the numerical proportions of the different creeds. Those who supported this view argued that no solution could be arrived at but a total disendowment. The second argument was that no Protestant could advocate the present state of things who believed in the truth of his religion. He, for his part, held that this disendowment was necessary to the fusion of races, and the establishment of that perfect equality, religious as well as social, without which no Government, however subtle, or however well meaning, could ever secure the great end of peace and good-will amongst the governed. Holding as an Irish Protestant these opinions, he could not blind himself to the fact that the Irish Establishment had not in the present debate been defended on its own merits. It had been defended on the grounds of State policy and of State necessity; but he denied the necessity, and disputed the wisdom of the policy. He did not see how it should be that the great mass of Her Majesty's loyal subjects should be treated with grudging toleration whilst so many favours were lavished on a small minority. He (Captain White) was unable to appreciate the policy, which for three centuries, had sown discontent through the length and breadth of the land. There were two arguments advanced in favour of the retention of the Establishment, both of which had been maintained in the debate, and both of which were equally weak and fallacious. The first was, that the statesmen of this country ought to be especially careful how they ventured to touch the Irish Establishment; because they ought to look on the Irish Establishment in the light of a part of the connection of that country with Great Britain. It was said we ought to bear in mind that the Protestants were the English garrison in Ireland; and that we ought to remember that in stopping the pay of that garrison we were alienating their affections. He thought such an argument was unworthy of Protestants, and that, in spite of the ravings of certain ecclesiastics which had been alluded to by his hon. and gallant Friend the Member for Longford (Mr. O'Reilly), it was a deliberate insult to the good sense and good feeling of Protestantism in Ireland. But, even admitting the argument, might it not be fairly said that the genuine gush of loyal feeling and gratitude from a whole people, which would be the result of generous legislation, would amply compensate for the loss of such venal, corrupt, and conditional loyalty? The other argument was that this was merely a sentimental grievance. That, however, was an argument which was fairly open to denial. He thought it might fairly be urged that the funds still flowed from the pockets of the Roman Catholic tenant-farmers, and that the hardship remained in all its glaring injustice in the case of every Roman Catholic member of the community. But what grievance was so great and so intolerable as one which, while galling the honest pride of men, and lacerating their tenderest feelings and sympathies, outraged their sense of justice, and made them writhe under the torture of an undeserved lash? The Roman Catholics of Ireland had covered that country with most magnificent cathedrals, monuments of their religious zeal, which would endure almost to the end of time, and it was impossible that such people should not bitterly resent the existence of the Established Church. It was said that the Roman Catholic hostility to that Church was founded merely on a sentiment; but was it not sentiment that had led to the accomplishment of some of the noblest deeds recorded in history? Suppose the religion of the Roman Catholic minority in England were to become the dominant religion, would not the Protestants of England cry out and protest against such an arrangement? And yet in doing so they would be impelled by what had been ridiculed as mere sentiment. He believed that the existence of the Established Church was the primary obstacle to the pacification of Ireland. What was it that arrayed Irishmen against Irishmen, and made the streets of Belfast periodically flow with Irish blood but the ascendancy of the Irish Church Establishment? ["Oh, oh!"] What was the principal obstacle to a feeling of sympathy between landlord and tenant in Ireland, and what was it that arrayed them in opposing ranks at every succeeding election? It was principally the existence of the Irish Church, and its peculiar character of ascendancy. One was determined by all means, unconstitutional as well as constitutional, illegal as well as legal, to maintain that Establishment; the other struggling against what he believed to be a gross injustice. It had been said that the Irish Church was one of our bulwarks; but an institution that was founded in injustice ought not to receive our support because it happened to be of advantage to us. His belief was that the Protestant religion only languished in Ireland in consequence of the State pampering it had received. He knew that it would erect its head wherever it could do so. But he would rather see it encounter almost any risk in standing upon its own merits than he would see it continue clinging for its prosperity to a system which he knew to be based on the greatest injustice to the great majority of the people.

THE ATTORNEY GENERAL FOR IRELAND (Mr. WARREN) said, that there was a time when the right hon. Gentleman the Member for South Lancashire stood forward as the defender of the Irish Church, and declared "Upon us as has fallen the defence of the National Church;" and he used the expression, that he defended it on the grounds of conscience and truth. He (the Attorney General) concurred in the opinion that it was to be defended upon those grounds. Whether these were still the sentiments of the right hon. Gentleman he knew not, for—

"Tempora mutantur et nos mutamur in illis."

The Defender of the Faith now appeared before them, for the destruction, the demolition, and the annihilation of that Church. The right hon. Gentleman came forward with three Resolutions by way of remedy for the ills of Ireland. They suggested to him a charade:—My first is unpractical; my second is unlawful; my third is unconstitutional; and my whole is eminently factious. It was a fact that for between 300 and 400 years the Church of Ireland had been in possession of certain dignities, powers, and privileges which were ratified and confirmed by at least one solemn national obligation. It was incumbent on the spoliators to show the grounds of their spoliation. It was to be assumed *primâ facie* that she was justly entitled to what she had so long enjoyed. On what grounds was she to be dispossessed? The hon. and learned Member for Sligo (Mr. Serjeant Armstrong) had made a bitter attack on the personal character and conduct of the clergy of Ireland. But he would not waste the time of the House by vindicating their personal character, and if he wished to do so, he might refer, not only to the opinions of a Roman Catholic prelate of the highest character—Bishop Moriarty—on that point, but the right hon. Gentleman (Mr. Gladstone), in 1865, had himself borne testimony both to their high personal character and the manner in which they had discharged their duty. One argument, however, he must disclaim; he altogether repudiated the sentiment that if they disestablished the Irish Church they would shake the loyalty of the Protestants of Ireland. They might spoliate the Church of her property; but the Protestants of Ireland would remain loyal to the Crown and the United Kingdom so long as England remained the centre of religious liberty. Much discussion had taken place, both within and without that House, respecting the amount of the property of the Irish Church and the manner in which it was to be distributed. The amount of Church property in Ireland had been grossly exaggerated, and an entirely erroneous view was entertained upon that point in this country. Earl Russell, in a book published thirty years ago, trebled the amount of the Irish Church property, and when he re-published the book, although the inaccuracy had been made known to him, he omitted the mis-statement, but had not the candour to make a correction of the mistake. The noble Lord the Secretary of State for Foreign Affairs admitted that the property of the Church required a re-distribution. The Government concurred in that opinion; and a Commission was now inquiring how this was best to be done. He now came to the arguments on the question before the House. It was contended that the first Resolution of the right hon. Gentleman must be carried, because justice demanded and expediency required that the Irish Church should be disestablished. But where was the injustice of the possession by the Irish Church of that which was her own property? He believed the title of the Church to the property of the Church was as good as the title of any gentleman to his own property. The only hon. Mem- who alleged this injustice was the hon. Member for Tipperary (Captain White), who last spoke. But his argument he (the Attorney General) could not understand. Every man who owned an acre of land in Ireland had acquired it according to law subject to the tithe rent-charge. A man wishing to purchase an estate ascertains the rental and the rent-charge, and calculates his purchase-money upon the amount of the rental, diminished by the amount of the rent-charge. There was therefore no injustice on this score. Why was it harder for a Roman Catholic than for a Protestant to pay it under those circumstances? Upon this point the right hon. Member for Portarlington (Mr. Lawson) had once said—

> "I ask, to whom does the existence of Church property do injury? Does it injure them (the Roman Catholics) in their purses or property? No; it is a property distinct from that of the owner of the land, a property to which the Church has as good a title as the title of any landlord; and I have yet to learn that our national condition would be improved by taking the revenues of the Church and transferring them to other and different purposes."

The right hon. Gentleman further said—

> "The existence of that Church property injures no man in purse. No man has a right to complain that his neighbour has an estate which he inherited from his ancestors, and which he will not transfer to him; and as little right have any other persons in the community to try to wrest from the Church the property which it enjoys and which it rightly and beneficially uses. . . You remember the legislator of old, who was asked why he had allotted no punishment in his laws to the crime of parricide, and he answered, because he did not believe such a crime could be committed. Was I, in coming before you, to negative the monstrous supposition that my sacrilegious hand could ever be raised to take away the life of that Church which gave to me my own."

And what right or claim had the Roman Catholics to the revenues of the Established Church? For 300 years they had been out of possession of the property; and even according to their own laws, 100 years was sufficient to create what Sir Robert Peel said was the best title in the world—a title by prescription. Not only had the Roman Catholics been out of possession, but they had acquiesced in the adverse possession. At the time of the passing of the Catholic Relief Act it was distinctly understood that they agreed, in consideration of that Act, to recognize the inalienable right of the Established Church in Ireland to its property. The right hon. Gentleman said that injustice was involved if the existence of the Established Church in Ireland made the possession inconsistent with religious equality. The right hon. Gentleman treated the existence of the Irish Church as a grievance, because it was inconsistent with religious equality. But did the right hon. Gentleman mean to say that religious equality was an essential condition of right and justice? If that were so the proposition could have nothing to do with any mere question of majorities and minorities, and the existence of the Church of Scotland with its endowments was a grievance to the members of the Free Church; while in England the maintenance of the Established Church was a grievance to the Roman Catholics. That was a necessary consequence of the principle laid down by the right hon. Gentleman; and who could say whether—on some future occasion, when the right hon. Gentleman, after having held office, should be again in Opposition and the Liberal party should be like a flock of sheep who did not know their shepherd — he might not declare in the

House that the existence of the Established Church in this country was an injustice and a wrong, and might not tell them, if he should be taunted with the charge of inconsistency, that they must be very short-sighted not to have perceived that he had furnished the germ of his argument in the speech in which he introduced the present Motion. There was no drawing back from that. If the right hon. Gentleman applied the principle of religious equality to the Church of Ireland he was bound to apply it also to the Church of Scotland. For his own part he disputed the principle of religious equality, while he held to the principle of religious toleration. Would the right hon. Gentleman say that the Pope's Archbishop of Westminster stood in a position, or ought to stand in a position, of equality with the Queen's Archbishop of Canterbury? But it was further said that the maintenance of the Established Church in Ireland was inexpedient. And upon what ground was that statement put forward? Irish discontent! There could be no doubt that discontent existed in Ireland. But there was no evidence to show that the existence of the Established Church was the cause of that discontent; while they had before them ample evidence that the discontent was embodied in a craving for nationality and a hatred of British rule. There was also evidence to show that absenteeism was one of the causes of the Irish discontent; but he would ask the House if the annihilation of the Irish Church would tend in any way to its removal. Irish disaffection might be regarded as having found its exponent in Fenianism, and in a desire for the repeal of the Union. On that subject he would refer to the highest authority he could adduce—John Mitchell, who only a few months ago had been offered and had refused the leadership of the Fenian movement. No man probably knew more about Fenianism, and John Mitchell, writing in November last, said—

> "The Irish Established Church seems to be given up as an untenable post; and the Established Church is the main stronghold of British power in Ireland. The whole British system hangs together, and stands or falls together. Let no man believe that the question of Irish independence is an isolated question—that Ireland can be constituted an independent kingdom, or republic, and that Great Britain and she can go on peaceably side by side, each in her own way. No; Irish independence means the abolition of British monarchy—and so much the better. It has cumbered the earth too long."

*The Attorney General for Ireland*

He would now call the attention of the House to a speech delivered at Limerick a few days ago by the Roman Catholic Dean O'Brien. After speaking of justice and national life, he proceeded to say—

> "Everyone knows that our Bishops will be with us when the time comes, for none love Ireland better; and they have always blessed the cause which justice sustains by the pleadings of truth and prudence."

And he ended by saying—

> "Let us also honestly say that the Church established by the law is a premium to anti-national sentiment. We shall make more Irishmen by the repeal of the Union between Church and State than we have lost by five years' emigration; and, better than all, we shall make unity in the land."

While, therefore, it would be impossible by the overthrow of the Established Church in Ireland to diminish Fenianism or the desire for the repeal of the Union, they should take care not to contribute in any way to an increase in the animosity which existed between the Protestants and Roman Catholics. Was it not extremely probable that the members of a voluntary Church would be less likely to live in harmony with their Catholic neighbours than the members of an endowed Church? The overthrow of the Church, far from curing absenteeism, would lead to an increase of the evil; because the Protestant gentry who resided inthe Southern and Western parts of Ireland, in the remote districts, would leave the country when they found themselves and their families deprived of the consolations of their religion in life and of its ministrations in death. If they over-ruled the Act of Union by passing such a Resolution as this they would be breaking a national compact solemnly entered into—a compact the more solemn inasmuch as, at the time it was agreed to, a declaration was made by the Roman Catholic laymen and Bishops of Ireland that the property of the Established Church should be safe and should not be disturbed by them. He trusted that the House would not again have to listen to sneers at "the cant of national faith." He therefore appealed to the House, unless the injustice were glaring, unless the expediency was demonstrated, unless they were prepared to cast to the winds the obligations imposed upon them by the Act of Union, not to pass the Resolutions proposed by the right hon. Gentleman, but to vote for the Amendment of the noble Lord the Secretary for Foreign Affairs.

MR. BRIGHT: The House will not expect me to follow the legal argument of the right hon. and learned Member who has just sat down. I entertain a firm belief that those legal cobwebs which are spread, and which are supposed to, and do in the minds of many Gentlemen, interpose between the conviction of a great evil and the necessity of justice, will be swept away before long by the almost unanimous opinion of the people of the Three Kingdoms. During this debate, which now has only lasted two nights, there has been, if not a remarkable change of opinion, a remarkable change of expression. Last night we had an interesting speech from the noble Lord who generally sits opposite me, the noble Lord the Member for Stamford (Viscount Cranborne). I refer only to the beginning of his speech, in which he spoke of his affection for the principle of the Church Establishment. There was a hesitation in his manner; he had a strong love for his principle, but it appeared to me that he thought the time was come when even that cherished principle would have to be surrendered. From the Treasury Bench we had a speech from the noble Lord the Secretary for Foreign Affairs, and when he sat down it is difficult to say what was the precise impression made upon the House at large. But I think, on the whole, the impression made on the other side of the House — his own side—was by no means a comfortable one. Now to me it is—and I think to the House it is—a misfortune that we have a Government that speaks with a different voice from night to night. We had it last year, and I presume, from the example of the debate which lately took place on the Motion of the hon. Member for Cork (Mr. Maguire), and on this Motion, we are about to see a repetition to it. Now, the fact is, that the position of the Government is one of great difficulty and perplexity. In point of fact, the position of the Government is one which I should call, in our Constitutional system, altogether unnatural. They are the Ministers, the Leaders of a minority of the House; and whilst they sat as Leaders of the minority in Opposition they defended the principles of their party, and they regarded apparently with satisfaction all their past career. The moment they are transferred to the Treasury Bench they find themselves in this difficulty, that although their party may still wish to cling to their past opinions, there is something in the very air, there is something throughout the mind of the whole kingdom, which teaches them that their past opinions are impossible in their new position. The noble Lord the Member for King's Lynn made a speech not long ago at Bristol. In that speech he expressed what I am quite sure were his honest opinions with regard to the condition of Ireland. He stated that the condition of Ireland was one painful and dangerous, and to us, in appearance at least, discreditable, and, in fact, he used many other words of the same character. He said we had a strange and perplexing problem to solve; that in Ireland there was a miserable state of things. Then he said, "If we look for a remedy, who is there that can give us an intelligible answer? Ireland is the question of the hour." Well, that was not altogether at variance —in fact I should say not at all at variance —with the speech of the Chief Secretary for Ireland. The Chief Secretary, in that candid and fair manner in which he always addresses the House, told us, I believe, as far as he knew, the facts as regards his country. But immediately afterwards we had a declaration from the right hon. Gentleman at the head of the Government that there was no crisis at all—that, in point of fact, the condition of Ireland was a normal condition, and that there was no necessity for anything remarkable or unusual in the legislation that was required. Now, to-night we had a speech from the Home Secretary, and I may say that every speaker on that side of the House has admitted that that speech was entirely in opposition, in its tone, its purpose, and its principle, to the speech of the noble Lord the Member for King's Lynn. Now, it seems to me the Home Secretary to-night answered the Foreign Secretary of last night, and I suppose, if the debate goes on until Thursday, probably the right hon. Gentleman at the head of the Government, or perhaps the Secretary of State for India, will answer the speech of the Secretary of State for the Home Department. But all this shows us that the House is in a wrong position. We have a minority in office, which cannot assert its own views with safety; nor can it with any more safety directly adopt our views; and thus, when on that side of the House a Minister gets up and makes what is called a Liberal speech on this question to us who are in Opposition, that creates discontent; and then another Minister gets up and makes a speech of an exactly opposite character, in order to reconcile the discontented adherents of the Government. Now, what is really absurd about it is this, that there is a kind of confusion and chaos in the House. We have a Government which is not a Government, and we have an Opposition that is not an Opposition, because really we do not oppose anything that you propose. Your propositions are not based upon your own principles, which you held when you sat on this (the Opposition) side of the House, but on our principles, and therefore we are not in Opposition at all, but we help you as much as possible to carry out, not your own principles, but ours. Whatever compensation it may be to right hon. Gentlemen who sit on the Bench and enjoy the dignities and emoluments of office, I think there are many honourable men, on whom I am looking at this moment, who do not observe the course of these proceedings with entire satisfaction. But now, notwithstanding these difficulties, there remains this great question which we must discuss, and which, if possible, we must settle. I say, notwithstanding some observations to the contrary I have heard, that the people of the Three Kingdoms are looking with anxious suspense at the course which Parliament may take on this question. The right hon. Gentleman the Home Secretary on one occasion spoke of this question, of this proposition, as being something in the nature of a revolution. But, if it be a revolution, after all it is not so great a one as one would suppose from the force and energy of the speech which he has delivered tonight—a speech which, although I differ from his views, was, I must say, a very good speech—in which he brought into the House a good deal of the force and energy of the people of that great county (Yorkshire) from which he comes. But, the fact is, that we are only about to deal with a question which affects, according to the Census, something under 700,000 people. I observe hon. Gentlemen talking of the Protestants of Ireland as being one-fourth of the whole population—of being 1,500,000. All that is fanciful exaggeration. According to the Census they are not more than 700,000, and let hon. Gentlemen bear this in mind—when the Census enumerators go round, if a man is not a Catholic or a Presbyterian, he is put down, unless he can state he is of some other sect, as an Episcopalian. Judging from what takes place in this country, we may believe that out of those 700,000 persons there must be a considerable number who never go to church, and who, politically or religiously, have no interest in the Church. Therefore, I believe, speaking correctly, it would not be possible to show that there are Episcopalians in Ireland in intimate connection with the Established Church to the amount of more than from 500,000 to 600,000. Now, that will not come to more than 100,000 families, and that will not be very much more than the population of Liverpool, or Manchester, or Glasgow; so that, in point of fact, this question, which is held to be a revolution, and which eminent lawyers talk about by the hour from dark recesses into which we never enter—this great question affects only about the population of the city of Glasgow, or of Liverpool, or of Manchester. And it is for a population so small as this, I am told—for I am not versed in computations of this kind—you have no less than twelve Bishops and two Archbishops, and that you have devoted for their services—for their religious services—not less than the annual income arising from a capital sum estimated at, at least, £10,000,000 or £12,000,000 sterling. Now, if their system of teaching is really very good, I must say there ought to be in Ireland a more perfectly moral and religious population among the Protestants than there is in any other country in the world. Now, what are we going to do? What is the House going to do if we adopt the Resolutions of the right hon. Gentleman the Member for South Lancashire? If the House accept the advice of the majority sitting on this side, what are we about to do? We are not going to commit any vital wrong upon that one city population of 500,000 or 600,000. When we have done everything that I have suggested should be done, we shall leave them in as comfortable a position as the majority of the people of Scotland are in at this moment. ["Oh."] We shall leave them as well off as eight or nine-tenths of the population of Wales are; we shall leave them as well off as half—and not the least religious half—of the people of England are; we shall leave them as well off as the English, Scotch, Welsh, and Irish people who form the population in in our colonies, whether in North America or Australia. And what can be more monstrous than for Gentlemen to come here from Ireland—and there may be some from England—and tell us we are bringing about a revolution, that we are committing an enormous oppression, that we are hazarding the loyalty of the people of the North of Ireland, when, after all, the most any of us proposes to do is that the population will be left at least as well off as any of the various populations of the Empire I have just described? I hope hon. Gentlemen opposite will be convinced it is not a bottomless abyss we are going to plunge their friends into. Although it is a very small question for the Church in Ireland and for the Church people, I hold it is an infinitely larger question for the Catholic population of the United Kingdom. Now, the right hon. and learned Gentleman who spoke last relies much upon law. I suppose it will be admitted that there are only two pretences on which the State Church—the Protestant Church—can exist in Ireland. The one is religious—the other is political. Now, has anybody been able to show that, as a religious institution, it has not been a deplorable failure—because clearly, the original intention, the original hope, was that the people of Ireland would be drawn from the Church of Rome and brought into harmony with the Church of England. Well, I undertake to say, from the time of the first establishment of the Protestant Church in Ireland until now—reckoning up all the Catholics on the one side and the Protestants on the other—it could not be shown, and it is not to be believed—it has ever added really in 100 persons not even one person of the actual number of Protestants in that kingdom of Ireland. The thing has been an entire failure—a failure deplorable, and almost ludicrous, as an engine for converting the Catholic population. But it has not only not made Catholics into Protestants, but it has made Catholics in Ireland more intensely Roman than the members of that Church are found to be in any kingdom in Europe or country in America. And what is more than that, I think it can be demonstrated that the existence of the Protestant Church in Ireland —whether missionary or not in pretence— has not only not converted the Catholics themselves, but has made it absolutely impossible that anybody else, or any other Church, should convert them. Because, if you look and see how the Protestant Church has been connected with the State, and with the politics of the country, with the supremacy of the landed proprietors, with the supremacy of the Protestant party, with all the dark records of the past, you will see the effect has been to make of Catholicism in Ireland not only a faith, but absolutely a patriotism. I think I might appeal to every Member of the House who now hears me whether, if he had been placed in Ireland with his father before him among the Catholic population —I ask him whether he would not have felt that if he threw off his allegiance to his Church, and if he entered the portals of this garrison Church, that would have been to him not only a change of faith, but a denial as it were of his birth and of his country? I have felt always in considering this question—and I have considered it much for twenty-five years past—that all the circumstances of that Church in Ireland have been such as to stimulate the heart of every Catholic to a stronger adherence to his own faith, and to a determined and unchangeable rejection of the faith and the Church which were offered to him by the hands of the Conquest. Now, there is one point on this, too, which is important, that the more you have produced in Ireland dissatisfaction with Imperial rule, the more you have thrown the population into the hands of Rome. Now, I hope I shall offend no Catholic Member in this House when I say that I consider it one of the great calamities of the world that there are in many countries millions of Catholic population who are liable to be directed in much of their ordinary conduct, and ofttimes in their political conduct, through the Bishops and clergy from the centre of the city of Rome. I think that is a misfortune—I think it is a misfortune to the freedom of the world. And I think more than that, that it is a misfortune to every Catholic Church in every country; for it tends rather to prevent it from being wholly national, and it prevents also such changes and such reformations as, I believe, are necessary in the progress of every Church. Well, now we see some result of it in other countries of Europe— notably, at this moment, in Austria. There is a contest going on with the Roman power even in that country, which lately we thought was the very last in the race for freedom. There is no country in Europe probably at this moment in which the Catholic Church and population are more entirely subject to the direct influence of a certain number of persons, of whom most of us know nothing, who pull the strings of the Catholic world in the city of Rome, than the country of Ireland. Well, I attribute much of that which I think a great evil to the existence of the Protestant Church in Ireland. ["Oh!"] Why, you know perfectly well that the great discontent of Ireland is marked out mainly by the Catholic population, and you know that that population is even at this moment, more than it was some years ago I am afraid, subject directly to political influences from Rome; and I am satisfied that it is for the interest of the Catholic population of Ireland in that respect, and it is for the interest of this great nation and of this Imperial Government, that whatsoever be the tie between the Catholic population of Ireland and the Government in Ireland, that at least we ought to take away every obstacle that can lessen in the smallest degree the loyalty of that people to the Imperial Crown. Well, if this Church has failed as a religious institution, how stands it as a political institution? Why, it was appointed not only to convert the Catholics, but to secure the Union. An hon. Gentleman with a courage that I should not like to imitate, said, that if the 5th Article of the Act of Union should be altered, then, in point of fact, the Union is as good as abolished. I see the hon. Gentleman up there, and I think he is not the only one who said it in the course of this discussion. It is a very old and not a very strange device to expect the people to be made loyal through the instrument of the clergy. I know that many centuries ago a monk of some celebrity at the Court of Louis of Bavaria told the monarch, "You defend me with the sword, and I will defend you with the pen." Well, we have been during all this time defending this Church with the sword. The sword has scarcely ever been out of the hand of the governing power in Ireland. And if a fair, simple, and unadorned narrrative were given of the transactions of this Parliament with Ireland, with regard to its different enactments—coercive restrictions, suspensions of the Habeas Corpus Act, and so forth—it would form a narrative which would really astonish the world, and would greatly discredit us. Well, Sir, after all this supremacy I am afraid it is not too much to say that many victims have perished on the scaffold in Ireland, and that the fields of Ireland have been more than once drenched with the blood of her people. But, after all this is done, we are not a bit more secure. It is no matter which Government sits on the Bench opposite. The right hon. Gentleman the Member for South Lancashire was there two years ago, and on that occasion, by the consent of his Colleagues and the then Home Secretary, had to introduce the Bill for the suspending of the Habeas Corpus Act. Now you are on that side of the House, and you have to do the same. Nobody says it is not necessary. I am not prepared to say it has not been necessary at other times. But surely if this be necessary—and if there is this painful duty to perform at various times—it shows that this matter is not very secure in Ireland. In fact, Sir, this is the most painful thing that we have witnessed lately that the suspension of the Habeas Corpus Act has become so common that it causes no remark. The measure is introduced into the House. An Irish Member makes some remarks about it, and it is passed, and we suspend the liberties of one of the Three Kingdoms from year to year. And the Prime Minister has the courage—I might also use another word—he has the courage to get up and say there is nothing in the nature of a crisis in Ireland, and that things, in point of fact, are going on there very much as usual, and that the House of Commons is not required to do anything in particular for that country. What you have in Ireland is this. There is anarchy, which is subdued by force, and after centuries of rule—not our rule, but that of our forefathers—we have got no farther than this. We have not reconciled Ireland to us, and we have done none of those things which the world says we ought to have done; and at this moment—in the year 1868—we are discussing the question whether it is possible to make any change with reference to the Established Church in Ireland which will bring about a better state of feeling between the people in that country and the Imperial Government. Well, Sir, I am afraid there has been very little statesmanship, and very much neglect, and I think we ought to take shame to ourselves, and, if possible, to try to get rid of some of our antiquated prejudices on this matter, and look at it as men would look at it from a distance, and whose vision is not impaired by the passionate condition of things which in this country has so often prevailed with regard to this question. Well, now, what is the remedy that is now offered? What do people say of it? Now, I challenge hon. Gentlemen on the other side of the House to deny this if they can. Do you not know that out of 500,000 Episcopalians in Ireland there are many—there are some in the Irish nobility, some landed proprietors, some magistrates, even some of the clergy, a great many Irishmen—who believe at this moment that it is of the very first importance that the propositions of the right hon. Gentleman the Member for South Lancashire should be carried. Now, I am not going to overstate my case. I do not say that all of them are of that opinion, or that half of them, or that one-fourth of them are. I state no number; but of this I am certain, that there is an influential, a considerable, and, as I believe, a wise minority, who are in favour of distinct and decided action on the part of Parliament with regard to this question. But if you ask the whole of the Catholic population of Ireland—be they nobles or be they commoners, landed proprietors, magistrates, merchants, shopkeepers, tenant-farmers—perhaps, of the whole number of Catholics of Ireland, being, I do not know how many times—I suppose eight or nine times—the number of the Episcopalians, these are probably, without exception, of opinion that it would be greatly advantageous and just to their country if the propositions submitted on this side of the House should receive the sanction of Parliament. Now, if some Protestants and some Catholics are agreed that they should remove this Church what would it be if Ireland was 1,000 miles away, and we were discussing it as we might discuss the same state of affairs in Canada? It we were to have in Canada and in Australia all this disloyalty among the Roman Catholic population, owing to the existence of a State Church there, why the House would be unanimous that the State Church in these colonies should be abolished, and that perfect equality and freedom in such matters should be given. But there is a fear in the mind of the right hon. Gentleman the Home Secretary that the malady which would exist in Ireland across the Channel should appear in England; that, in point of fact, the disorder of getting rid of the State Church in Ireland, like any contagious disorder, should cross the Channel — the west wind — lodging first in Scotland, and then crossing the Tweed and coming to England. I think the right hon. Gentleman went so far as to say that he was so much in favour of religious equality that if it were insisted on that it should exist in Ireland by the disestablishment and disendowment of the Protestant State Church, that he would recommend the same policy for England. Now with regard to that, I will just give the House an anecdote which has reference to Scotland. Some years ago I had the pleasure of spending some days at the house of the late Lord Aberdeen, after he had ceased to be Prime Minister. He was talking of the disruption of the Church of Scotland, and he said that nothing in the course of his public life, he thought, had given him so much pain as that disruption and the establishment of the Free Church in that country. But he said he had lived long enough to discover that it was one of the greatest blessings that had ever come to Scotland. He said that they had a vast increase in the number of churches, a corresponding increase in the number of manses or ministers' houses, and that schools had increased, also, to an extraordinary extent; and there had been imparted to the Established Church a vitality and energy which it had not known for a long period; and that education, morality, and religion had received a great advancement in Scotland in consequence of that change. Therefore, after all, a change of this kind is not the most dreadful thing in the world —not so bad as a great earthquake—or as many other things that have happened. I am not quite sure that the Scottish people themselves may not some day ask you—if you do not yourselves introduce and pass it without their asking—to allow their State Church to be disestablished. I met only the other day a most intelligent gentleman from the North of Scotland, and he told me that the minister of the church he frequented had £250 a year from the Establishment fund, which he thought very much too little, and he felt certain that, if the Establishment were abolished, and the Church made into a free Church, the salary of the minister would be advanced at least £500 a year. Well, that is a very good argument for the ministers, and we shall see by-and-by, if the conversion of Scotland makes much advance, that you may be asked to disestablish their Church. The hon. Member for Honiton (Mr. B. Cochrane) last night quoted something which, I dare say, he did not recollect accurately—something which I had said respecting the Church of England; but the fact is that the Church of England is not suffering from the assaults of the Liberation Society; it is suffering from a very different complaint. It is an internal complaint. You have had it before one of the Courts of Law within the last few days, and a very curious decision has been given that candles are lawful, but incense is something horrible and cannot be allowed;

and then the newspapers tell you on the very next Sunday there is more incense in that particular church than there ever had been before. I will tell hon. Gentlemen opposite what it is that endangers the State Church now—I mean a State Church like this in England, against which there is no violent political assault. It is the prevalence of zeal. Whenever zeal creeps into a State Church, it takes naturally different forms—one strongly Evangelical, another strongly High Church or Ritualist, and these two species of zeal work on and on in opposition, until finally there comes a catastrophe, and it is found that it is not Mr. Miall and the Liberation Society—although they have prepared men's minds not to dread the consequence when it really does happen—but it is something wholly different, within the Church itself, that causes the disruption of the Church. The Scottish disruption did not take place from any assaults from without—it took place from zeal and difficulties within; and if you could keep the whole of the Church of England perfectly harmonious within its own borders, it would take a very daring prophet who would undertake to point out the time when it would be disestablished. We will confine ourselves, therefore, to Ireland, and I will ask hon. Gentlemen this: I believe hon. Gentlemen opposite do not usually reject the view which we entertain, that the abolition of the State Church in Ireland would tend to lessen the difficulties of governing that country. I think there is scarcely an hon. Gentleman on the other side who has not some doubt of his previous opinions, some slight misgiving on this point, and some disposition to accept our view of the case. Well, why should you be afraid? Even children, we know, can be induced, by repeated practice, to go into a dark room without fear. You have always, somebody said the other night, lions in the path; but I will not dignify them with the name of lions—they are hobgoblins. Now, when you have seen and handled them, as you have a great many times since I have been in the habit of speaking opposite to you, these things are found, after all, to be only hobgoblins; you have learned, after all, that they are perfectly harmless; and when you thought we were doing you harm, and upsetting the Constitution, you have found that, after all, we were doing you good, and the Constitution was rather stronger than it was before. Let me point out for a moment some of those changes that were found at the time to be of great difficulty, but have been found to be very wise and good afterwards. When I came into this House, nearly twenty-five years ago, our colonial system was wholly different from what it is now. It has been altogether changed—Sir William Molesworth and his friends were mainly the authors in Parliament of those changes. Well, all our colonies, as we all admit, are much more easily governed and much more loyal than they were in those days. Turning then to our financial system—and I really do not want to offend anyone by mentioning this—you know that our financial system, since Sir Robert Peel came into office in 1841, has been completely changed, and yet the Revenue of the country is larger, which I regard as a misfortune—and not only larger, but more secure by far, if Parliament requires it, than it was at any previous period of our history. Take the old protective system, which the hon. Member for North Warwickshire (Mr. Newdegate) and some others have not forgotten. Free Trade, I believe, was a frightful monster. But the protective system is gone; and now every candid man amongst you will admit that industry, being more free throughout the country, is better rewarded; and that the land, which you said would go out of cultivation, and become of no value, sells for a higher price in the market than it ever brought before. There are two other points on which I wish to add a word. One was mentioned last night after most of the Members had gone home. The balance of power was once considered —what shall I say?—the very beginning and ending of our foreign policy; indeed, I am not sure that there are not some old statesmen in the other House who believe in it even yet. What was done last night? Why, the noble Lord the Member for Haddingtonshire (Lord Elcho), who comes up from Scotland brimfull of enthusiasm for impossible projects, proposed to put in words which had been rejected from the Preamble of the Mutiny Bill relating to the preservation of the balance of power. [Lord ELCHO: I only proposed to re-insert them.] What did one of your most distinguished Ministers, the right hon. Baronet the Secretary for War, say in reference to the proposition? He said he thought it singular that the hon. Member for Chatham (Mr. Otway) should have proposed to remove the words, because they really meant nothing; but he was still more surprised that the noble Lord should have asked to have them replaced. Well, thus you see that this balance of power is gone, and yet England, I will undertake to say, under the national and fair administration of Foreign Affairs by the noble Lord the Member for King's Lynn, is just as much respected by all foreign Powers as ever it was when we were ready to meddle in every stupid quarrel that arose upon the Continent of Europe. Now, there is only one other thing to which I will advert — the question of the representation. You know, in 1830, there was almost no representation. There were a few towns in which there was almost universal suffrage, and many scores of rotten boroughs — in fact, the whole system had got into such a state of congestion that it could not be tolerated any longer, and we had a small, but which might have been a very large, revolution, in amending that state of things. Last year you, who had seen this hobgoblin for years, who had thought, I have no doubt—many of you—that I was very unwise and injudicious in the mode in which I had proposed to extend the suffrage—last year you found out that it was not so monstrous a thing after all, and you became absolutely enthusiastic in support of the right hon. Gentleman's Reform Bill. Well, you believe now, and the First Minister, if this was an occasion on which he had to speak about it, would tell you not to be afraid of what was done. He would tell you that, based on the suffrage of a larger portion of your countrymen, Parliament would henceforth be more strong and venerated by the people than ever it had been before. If that is true of Parliament, what shall we say of the Throne itself after all these changes? I will venture to say that, whatever convenience there may be in hereditary monarchy, whatever there may be of historic grandeur in the Kingly office, whatever of nobleness in the possessor of the Crown, in all these things is it not true that everything is at least as fully recognized by the nation as it ever was at any previous period of our history? I do not mention these things to reproach anybody here. We all have to learn. There are many in this House who have been in process of learning for a good while. In fact, I am not sure that my right hon. Friend the Member for South Lancashire did not admit to me that on this very question of the Church his opinions have been greatly expanded, and have been ripening for a series of years. That is greatly to the credit, not only of his head, but of his heart. We have seen even amongst you on that side of the House a progress in many things—a progress which I say is most gratifying to me—though that, of course, is a very small matter—and it is also a very wholesome indication that the minds of men are becoming more open to the consideration of great principles in connection with great public questions. And this lets us see that in future we shall have—as, no doubt, we shall have — a Government more in accordance with public opinion and public interests than we have had in past times. Now, in my opinion, the changes that are made in our time are the glory of our time. I believe that our posterity will regard them as the natural and blessed fruits of the growth of intelligence, and of the more comprehensive justice of this age. I mention these things to ask you not to close your ears to the arguments, nor to close your hearts to the impressions of justice which must assail you with regard to this question which is now being debated so much in Great Britain and Ireland. I might appeal to a right hon. Gentleman who perhaps is in the House —the Member, I think, for the county of Limerick—who was at a very remarkable meeting held the other day in Limerick on this very question. I have heard from sources which cannot, I think, be questioned, that it was a very remarkable meeting—one of the most remarkable that has been held in Ireland, I will venture to say, for the last twenty years, or, perhaps, I might say for a longer period; that there was a far more healthy tone of mind, of expression, of conduct, of feeling, of everything we wish to see, than has been known there for a very long period. I believe and know—because I am told by witnesses who cannot be contradicted—that that change arose from the growing belief that there was a sufficient majority in this House—that the general opinion of Parliament was sufficiently strong, to enable this measure of justice and reconciliation to be passed. Now, I ask you, if, after what has taken place, you are able—unhappily able — to prevent the progress of the movement which is now afoot for the disestablishment of the State Church in Ireland; are you not of opinion that it would create great dissatisfaction, that it would add to the existing discontent, that it would make those that are hopeful despair, and that men—rash men if you like

—strong and earnest men, would speak to those that hitherto have not been rash, and have not been earnest, and would say, "You see at last; is this not a proof convincing and unanswerable, that the Imperial Parliament, sitting in London, is not capable of hearing our complaints and of doing that justice which we, as a people, require at their hands?" Do not imagine that I am speaking with personal hostility to the right hon. Gentleman who is your Chief Minister here? Do not imagine for a moment that I am one of those, if there be any, who are hoping to oust hon. Gentlemen from that (the Treasury) Bench in order that I may take one of the places occupied by them. I would treat this subject as a thing far beyond and far above party differences. The question comes before the House, of course, as all these great questions must, as a great party question; and I am one of the Members of this party. But it does not follow that all the Members of a party should be actuated by a party spirit, or by a miserable, low ambition to take the place of a Minister of the Crown. I say there is something far higher and better than that; and if ever there was a question presented to Parliament which invited the exercise of the highest feelings of Members of the House, I say this is one of those questions. Then, I say, do not be alarmed at what is proposed. Let us take this Irish State Church, let us take it not with a rude—I am against rudeness and harshness in legislative action—but if not with a rude, still with a resolute grasp. If you adopt the policy we recommend you will pluck up a weed which pollutes the air. ["Oh, oh."] I will give hon. Gentleman consolation in the conclusion of the sentence—I say you will pluck up a weed which pollutes the air; but you will leave a free Protestant Church, which will be hereafter an ornament and a grace to all those who may be brought within the range of its influence. Sir, I said in the beginning of my observations that there were the people of three kingdoms who were waiting with anxious suspense for the solution of this question. Ireland waits and longs for it. I appeal to the right hon. Gentleman the Member for Limerick (Mr. Monsell); I appeal to that meeting which he can describe, and perhaps may describe, to the House; and I say that Ireland waits and longs for a great act of reconciliation. I say, further, that England and Scotland are eager to make atonement for past

crimes and past errors; and the last thing I shall address to the House is this—I say it depends upon us—this House of Commons—this Imperial Parliament—whether that reconciliation shall take place, and whether that atonement shall at length be made.

MR. ROEBUCK moved the adjournment of the debate to Thursday.

Motion *agreed to.*

Debate *further* adjourned till *Thursday.*

House adjourned at Twelve o'clock.

## HOUSE OF COMMONS,

*Wednesday, April* 1, 1868.

MINUTES.]—SELECT COMMITTEE—On Grand Jury Presentments (Ireland), Lord John Browne *discharged,* Colonel French *added.*

PUBLIC BILLS—*Ordered*—Electric Telegraphs; United Parishes (Scotland).*

*First Reading*—United Parishes (Scotland)* [81]; Electric Telegraphs [82].

*Second Reading*—Religious, &c., Buildings (Sites) [18]; Libel [3].

*Committee*—Artizans' and Labourers' Dwellings [1]—R.P.; Industrial Schools (Ireland)* [6].

*Report*—Industrial Schools (Ireland)* [6].

### FEVER AT THE MAURITIUS—THE 86TH REGIMENT.—QUESTIONS.

MR. BARCLAY said, he wished to ask the Under Secretary of State for the Colonies, Whether any steps have been taken by the Mauritius Government, since the renewed outbreak of fever, to promote sanitary reform in the town of Port Louis; and, whether any instructions have been sent, or are about to be sent, by the Home Government, empowering either the Governor or the General Board of Health to enforce the sanitary measures required?

MR. ADDERLEY, in reply, said, the latest information from the Mauritius was dated February 16, and arrived on March 18. It stated that the fever was on the increase in Port Louis, and had spread to the interior. At that time the chief medical officer stated that the fever had assumed a much milder form, and was better understood; while the attacks were in a considerably smaller proportion fatal. He also stated that there was now an ample supply of quinine and other drugs, which there had not been at first, and which were most useful in meeting the attacks. With respect to the second portion of the Question of the hon. Member, measures had been taken to increase the number of medical officers available. Application with this view had been made by the Government to Madras for English doctors, and two had been sent as well as a foreign doctor. His noble Friend (the Duke of Buckingham), immediately on receipt of the last intelligence, had given directions that two additional English medical men should go out from this country by the first mail. The Duke of Buckingham had also called the attention of the local Government to the apparent want of concert and efficiency of the municipality of Port Louis in relation to sanitary matters, and suggested alterations in its constitution with a view of increasing its efficiency. The Board of Health would be increased by the addition of the Officer in command of the troops, the commanding Officer of the Engineers, the Assistant Military Secretary, and an Officer of the Royal Artillery. Everything had been done that could be done in such a case.

MR. WHALLEY said, he would beg to ask the Secretary of State for War, What measures have been taken for the removal of the 86th Regiment from the Mauritius, and within what period it may be expected that the Regiment will, by this or other means, be rescued from its present perilous condition; and, with reference to the General commanding in the Mauritius and the Colonel of the Regiment, whether any steps have been taken or are intended to fix upon those officers respectively the responsibility for the disastrous results of their having landed the said Regiment, in disregard of instructions and in defiance of the express warning of the local authorities?

MR. ADDERLEY said, the circumstances of the landing of the 86th Regiment would be better stated by his right hon. Friend the Secretary of State for War, who was at present absent from the House; but he might, in the meanwhile, observe that circumstances had been very much misunderstood, and much greater precautions had been taken as to the landing and disposal of these troops when landed than had been supposed. He believed little bad result had followed. There had been some sickness, but only one death in that Regiment. The measures which had been taken with a view to the reformation of the municipality of Port Louis did not affect the officers to whom the Question of the hon. Gentleman referred. They simply had reference to the efficiency of the municipality in carrying out sanitary measures in the town of Port Louis.

## RELIGIOUS, &c., BUILDINGS (SITES) BILL—[BILL 18.]

(*Mr. Hadfield, Mr. Bazley, Mr. Leeman, Mr. Akroyd.*)

SECOND READING.

Order for Second Reading read.

MR. HADFIELD, in moving the second reading of this Bill observed that it was very nearly in the words of a measure which last Session passed through the House without a dissentient voice. Two Members of the Cabinet expressed their opinion in favour of that measure, and a like opinion had been expressed by two Chairmen of Committees appointed to consider the Mortmain Act, 9 *Geo.* II., c. 36. He was not aware that on the present occasion there was any real opposition. The late Lord Chancellor (Lord Cranworth) had stated that he could see no possible objection to the Bill. Its provisions extended to all sorts of charitable and scientific, as well as religious societies, and it really only conferred on them the same powers as was given by the Companies Act, 25 & 26 *Vict.* c. 89, s. 21, to joint-stock companies—namely, power to acquire two acres of land for the purpose of building for any charitable institution which they might require. By the provisions of the Mortmain Act, certain restrictions were imposed on such institutions, and the Bill proposed that whenever land was purchased for the purposes of such an institution there should be no necessity for incurring such an enormous expense as was at present required to obtain a proper conveyance of land. The Mortmain Act contained two sets of provisions: the first was that no person should devise land for charitable purposes, and that when any gift was made by deed, the deed must within six months be enrolled in Chancery, and the donor live twelve months after the execution of the deed; and the second was, that every conveyance for a charitable institution should be void (see Section 3) except it were duly executed and duly enrolled six months after execution, although a full and valuable consideration should have been actually paid for the purchased property. It was with the latter only that he wished to interfere. He did not object to the enrolment of deeds and the consequent expense, in the case of large and rich institutions; but the present regulations operated as a great restriction to the establishment of many of the smaller religious, benevolent, and literary societies of the kingdom. In many schools the requirements of the Mortmain Act were dispensed with by law altogether. All that he wished was that charitable institutions, not exceeding two acres, should be freed from the expense which the present state of the law cast upon them. Since the passing of the Mortmain Act thousands of deeds, made and executed for full consideration paid, had become void in consequence of their not having been executed in the form prescribed by the Act and enrolled, and Acts of Parliament had from time to time been passed for the purpose of restoring deeds of this character to their full legal operation. There was already an Act to allow trustees to apply at any time to the Court of Chancery to be allowed to enrol, and thus make good, their deeds; and since 1860 there had been several thousand deeds enrolled in the Court of Chancery, and thus made legal and binding, under recent Acts of Parliament; whereas for many years they had been illegal. One remarkable instance of the bad effect of the old law was that, many years ago, of the Manchester Infirmary, in reference to which the requirements of the Mortmain Act had not been for fifty years complied with, and during this time the heir to the estate might have taken possession; but instead of doing this he nobly completed the title of the trustees.

Mr. HEADLAM said, that some years ago he was Chairman of a Committee upon the Laws of Mortmain, and he might say that though, in that Committee, there was great variety of opinion upon the general subject, yet there was perfect unanimity upon this point, that there should be an exception in favour of institutions such as those mentioned in this Bill. In a former Committee, also, he believed that there was similar unanimity in favour of such an exception.

The ATTORNEY GENERAL said, he should offer no objection to the second reading of the Bill. Last year a clause had been moved in "another place" which had induced the hon. Gentleman to give up his Bill; but that was a clause which it did not appear necessary to insist upon in a Bill which applied only to the objects which this Bill contemplated. He by no means said that it was unnecessary to keep up those restrictions on grants and alienations of land which were imposed by the Laws of Mortmain; yet, having regard to the small quantities of land which would be taken under this Bill, he should certainly offer no objection to the measure.

Motion *agreed to.*

Bill read a second time, and *committed* for *Tuesday*, 21st April.

## LIBEL BILL—[Bill 3.]

(*Sir Colman O'Loghlen, Mr. Baines.*)

### SECOND READING.

Order for Second Reading read.

Sir COLMAN O'LOGHLEN moved the second reading of this Bill.

Sir ROBERT COLLIER wished to guard against its being supposed that he assented to a portion of this Bill, which some persons thought was a very essential part of it—namely, the third clause, by which it was proposed to make every speaker at a public meeting liable for words spoken to the same extent as if he had sat down and deliberately written and published them. He did not wish to discuss the question on the second reading of the Bill; but he begged to give notice that in Committee upon the Bill he should move that the clause to which he referred be struck out. In the Committee the question could be fully discussed.

Mr. WHALLEY said, he would also abstain from discussing the Bill at its present stage. He hoped there would be a discussion of the principle of the Bill, to a certain extent when it was in Committee. The law of libel affected the liberty of the subject almost more than any other branch of law. So far as he had heard every one of the petitions in favour of this Bill had originated, if not directly emanated, from parties who were interested in the matter—namely, the representatives of the Press. If there was any injustice whatever in the present law of libel, such was the elasticity of the Common Law of England that any man could go before a Court of Law and say, "Here is an unjustice, it is not right that a man should be punished for this transaction." If that could be made clear to the common sense of those who presided over the Court, they could adapt their decision according to the circumstances. If this Bill were passed, it would be impossible for any man to understand the law of libel. The Bill, which had been prepared in Ireland, struck at the root of freedom of speech. The Courts of Law, having administered the law of libel for centuries to the satisfaction of the country, the House was now called upon, for no valid reason, to take the matter into its own hands. He implored the House not to allow the laws of England to be hampered at the caprice of any hon. Irish Member, however learned or however eloquent, more especially if that hon. Member must be supposed, in his attempts to introduce such alterations, to be influenced by a spirit of favour to another system of laws which was in direct opposition to the laws of this country.

The ATTORNEY GENERAL said, the hon. Member for Peterborough (Mr. Whalley) was mistaken in supposing that this Bill had been prepared in Ireland in the form in which it now came before the House. It underwent considerable examination and alteration last year in Committee of that House and in Select Committee. He did not intend to oppose the second reading of the Bill, although it was a fair matter for discussion in Committee, whether the measure ought to receive the sanction of that House or not. There was an important principle involved in the Bill—he should rather say in the first section, by which it was proposed for the first time to allow an editor or proprietor of a newspaper to show that an alleged libel was a true and fair report of the proceedings at a meeting lawfully assembled for a lawful purpose, open to reporters for the public newspapers, and at which a reporter was present for the purpose of reporting the proceedings of such a meeting for a public newspaper, and that the report was published in such newspaper by the defendant *bonâ fide*, without malice, and in the ordinary course of business, and to allow "not guilty" by statute to be pleaded, under these circumstances to an action. It was a fair matter for discussion whether it was expedient that such an extensive alteration in the existing law of libel should be made. It was said that the Bill had been promoted merely in the interest of newspaper proprietors; but he should rather say that it had been introduced for the purpose of protecting the proprietors of newspapers from being liable to actions for libel in cases where they had admitted reports of speeches which, as far as they were aware, contained accurate statements of fact, and where they had published them without malice, merely for the purpose of informing the public upon matters of interest. It had been shown that, on more than one occasion, proprietors of newspapers had sustained considerable hardship in consequence of such reports not being privileged. The principal object of the Bill was to allow newspaper proprietors to publish the proceedings of meetings lawfully assembled for a lawful purpose with a certain amount of impunity, and to enable them to plead in the form pointed out by the Bill that the report was an accurate report of those proceedings, published without malice and in the ordinary course of business. The hon. and learned Member for Plymouth (Sir Robert Collier) had objected to the third clause, by which a speaker of defamatory words at the description of meeting contemplated by the Act was rendered liable to an action for libel. Now, the speaker at such a meeting would be perfectly well aware that his words would be reported in the newspapers and circulated, and that was very different from the case of a man making use of hasty words under circumstances where he could not suppose they would be published. He knew that there was a marked distinction between the law of slander and that of libel, but it was all founded on this—that words uttered orally were fleeting, and were not intended to be permanent. But the distinction in fact between slander and libel was much modified at the present day. At all events, if the first clause of the Bill was carried, and they allowed reports of the proceedings of public meetings to be privileged, they should afford a person defamed by a speaker some opportunity of coming into Court and showing that the charges that had been brought against him were false. The subject was a fair one for discussion in Committee, when he should state at greater length his reasons for believing that some clause should be inserted in the Bill giving the person prejudiced by words published an opportunity of disproving the truth of the charges made against him.

Mr. AYRTON said, that the hon. and learned Member for Clare (Sir Colman O'Loghlen) in introducing this Bill in November last, intimated that the Bill would have been passed into a law in the previous Session had it not been for his (Mr. Ayrton's) opposition to it, and, in truth, the remarks of the hon. and learned Member, instead of being addressed to the merits of the Bill, had rather been addressed to his demerits. In his opinion the Bill had passed through that House last Session in consequence of an assurance that it would go no further. Being one of the many efforts of the hon. and learned Member for the benefit of mankind it was suffered to pass in the full conviction that it never could be recognized as part of the law of the land. The hon. and learned Gentleman had told them that the Bill had been approved by an illustrious Committee; but, as far as he could test the opinion of that Committee, he did not think that they had been so highly in favour of the Bill as the hon. and learned Gentleman supposed. A very eminent Member of that Committee disapproved of one fundamental principle of the Bill, while another had told him that he regarded the Bill as most mischievous. It was clear that some distinguished Members of the Committee did not appreciate the legal difficulties of the Bill. He was prepared to show that, even upon the principles which had been laid down, the leading provisions of the Bill ought to be struck out. He was, however, willing to permit it to be read a second time on the understanding that he should take the opportunity of examining into the character of its provisions in Committee. He was ready to admit that the Bill contained some clauses which, when amended, might be useful; and that the clause which placed prosecutions for libel upon the same footing with another class of prosecutions would effect a desirable amendment in the law. The remarks of the Attorney General would be found on examination to furnish no satisfactory reason for adopting the provisions of the Bill. It was said that the Bill was introduced for the benefit of newspaper proprietors. That might be so; but the question was, whether newspapers proprietors ought not to be treated like others who entered into commercial enterprizes for their own profit and advantage, and whether they should not incur the responsibility that naturally attached itself to such enterprizes. He could not understand how Parliament could pass a law by which a man deriving profit from an undertaking should be protected from all the consequence that might arise from his own negligence in the conduct of that undertaking. If he were to sum up in a few words his opinion of this Bill, he should say that it was an attempt to degrade by law one of the most honourable and useful, and, at the same time, most intellectual professions—that of reporting for the public journals—to the level of a mere mechanical process. The effect of the Bill if carried would be to induce newspaper proprietors to employ mere mechanical reporters, mere stenographers, at a salary of a few shillings per week, to take down the words of a speaker, and write them out just as they were uttered, instead of engaging gentlemen of education, intelligence, and discrimination, who were competent to perform the task of reporting a speech in conformity with decency and with law. The Bill was just such a one as the most ignorant and ill-disposed members of trade unions demanded, in order to enable them to escape the consequences of their illegal acts. It would be a great misfortune if a class of ignorant and incompetent persons were, by an Act which afforded them protection from the responsibility which naturally attached itself to their profession, placed upon an equality with gentlemen of education and intelligence. He thought the subject was a very grave one, as it involved the high character of the press of this country. If this Bill were passed he was afraid it would prove but the first step in a course of legislation which would be likely to endanger that freedom of the press which we at present enjoyed. He had used his best efforts to free the press from the fetters imposed upon it by taxation, and he should deeply regret to see it oppressed by a censorship of any kind. On a future occasion a much wider view of this subject would have to be taken than that suggested by the Attorney General, whose address upon this Bill, instead of being that of a statesman, had been that of a *nisi prius* lawyer fresh from the defence of his client. And before the Bill was passed he should like to see some one on the Treasury Bench—if such a person ever sat there—capable of grappling with great public questions, who would enter into this grave question with earnestness, instead of allowing the time of the House to be frittered away in listening to legal quibbles.

Mr. MILNER GIBSON said, he was convinced, from the evidence which had been laid before the Select Committee appointed to consider this Bill, and of which he was a Member, that the Press of this country was entitled to some legislative protection against vexatious actions for libel, which were frequently brought by speculative attorneys and involved costs amounting to hundreds, if not thousands of pounds, even although only one farthing damages might be awarded to the plaintiff. Under these circumstances he was prepared to vote for the second reading of the Bill, on the understanding that several material alterations should be made in it in Committee. Although he was willing to give reasonable protection to the proprietors of newspapers against vexatious actions, he was by no means prepared to go the length of exempting them altogether from the necessity for the exercise of that discretion which everybody was bound to use in dealing with the affairs of other people. The first clause of the Bill proposed to give newspaper proprietors the opportunity of pleading that the report complained of was published without malice, and that it was a true and faithful report, produced in the ordinary course of their business. It further provided that the proof this plea should amount to a defence. He thought it would be an improvement that such plea should be received in evidence, but that it should be left to the Court to decide whether such proof in all cases constituted a defence. He confessed he was unwilling to take from the Court a discretion upon this point. It might so happen that though there was no malice on the part of a newspaper proprietor in publishing a certain matter, he might nevertheless be made the means of circulating the malicious statements of others. The provision in the third clause requiring the person uttering the defamatory words to publish a retractation of them in the same newspaper in which his speech had appeared was, in his opinion, not quite satisfactory, seeing that a large number of the edition containing the libel might be circulated throughout the country, while a limited number of copies of the paper only might be published containing the retractation. Something ought to be done to secure the defendant, in a vexatious action, his costs. While he was of opinion that the Press should be free from all previous restraints, he had never gone the length of saying that it ought to be exempted from those penalties which justly fell on it, for the careless or culpable circulation of calumnious and libellous matter. He agreed with the hon. and learned Member for Plymouth (Sir Robert Collier) that it was not advisable to alter the law of slander in the way proposed by the Bill, nor in any way to curtail the liberty of speech, for the sake of giving protection to the newspaper proprietors. It might frequently happen that at vestry and other meetings a speaker might properly, on public grounds, bring against a person provisional charges which called for investigation; and it would be unfair, in such a case, to render the speaker at once liable to an action for libel. He should give his assent to the second reading of the Bill, with the view of agreeing to such Amendments as the discussion in Committee might show to be right.

MR. HENLEY said, he also had served upon the Select Committee upon this Bill, and fully appreciated the great difficulty that existed in dealing with this question. He agreed, on the one hand, that the Press should be freed from all undue restrictions, while, on the other, it should be rendered answerable for any abuse of its privileges. As to the question whether the provision in the Bill rendering a speaker amenable for the words he used should be retained, he must inform the House that the clause as it now stood was altered to its present form in Select Committee. The case of a man who deliberately used words at a meeting where he knew reporters were present for the purpose of publishing his speech was very different from that of the man who casually uttered words which he believed would, in all human probability, go no further, and it was worth the consideration of the House whether some difference should not be made in the law with regard to the two cases. The words of the Bill upon this point were very precise, as they strictly limited its operation to a certain class of meetings at which reporters were known to be present. On the whole, was it not of great advantage to the public that publicity should be given to the proceedings at the vast number of public meetings at which reporters were present? The question must be judged by the balance of convenience. The hon. and learned Member for the Tower Hamlets (Mr. Ayrton) had objected to relieve those who published newspapers from their responsibility, on the ground that by adopting such a course Parliament would be degrading the office of reporter. But when hon. Members recollected what the gentlemen of that profession—whose vast skill and accuracy in recording speeches he readily admitted—had to do they would see that it was hardly possible that they could think of anything except of making a faithful transcript of the speaker's words; and really this was all they had to do. It was, therefore, not the reporters, but the proprietors of newspapers, for whose relief the Bill had been introduced, and even they had but little time for exercising their discretion as to what should and what should not be published. It was sometimes extremely difficult to determine what was and what was not a libel, and frequently it puzzled both Judge and jury to determine the question, and yet newspaper proprietors were expected to arrive at a sound legal conclusion at a few minutes' notice. Under these circumstances, he thought that, trying the question by the balance of convenience, it was preferable that the newspaper proprietors should be protected when giving faithful reports of such meetings as were contemplated by the Bill than that they should be made defendants in actions whether real or vexatious, brought against them by those who felt aggrieved by the language of the speakers. It was not right that the newspaper proprietors should be subject to such actions while those who uttered the defamatory words in the presence, perhaps, of 5,000 people, with the full knowledge that they would be reported and published, escaped scot free. He had assented to the Bill in the form in which it left the Select Committee, and unless he heard stronger reasons against it than had yet been adduced he should support it in Committee.

Sir COLMAN O'LOGHLEN said, he did not intend at that moment to enter into any general defence of the Bill, believing that the House was favourable to its second reading, and that it would be better to discuss it clause by clause when they got into Committee, as each of the first five clauses involved an important principle. Under these circumstances, he should fix the Committee for such a day as would enable the whole subject to be fully discussed. In answer to the observations of the hon. and learned Member for the Tower Hamlets (Mr. Ayrton), he begged to state that he had not charged that hon. and learned Gentleman with having prevented the Bill from passing into a law, but merely with having prevented it from getting into the House of Lords in sufficient time for it to be carried last Session. The Bill was introduced last March twelvemonth, and after being read a second time, was referred to a Select Committee, which included among its Members the right hon. Member for Calne (Mr. Lowe), the right hon. Member for Oxfordshire (Mr. Henley), the Attorney General, and the hon. and learned Member for Sheffield (Mr. Roebuck). Having been fully considered by that Committee, the Bill in an altered shape came down to that House, and was discussed clause by clause in Committee. On the third reading of the Bill the hon. and learned Member for the Tower Hamlets thought fit to put a Notice upon the Paper to read the Bill a third time on that day six months, but was beaten upon a division by 79 to 18. The effect of that notice was to delay the Bill in this House so long that it could not be considered in the Lords last Session. The first clause of the Bill was agreed to unanimously by the Select Committee, and Clause 3, which was objected to by the hon. and learned Member for Plymouth (Sir R. Collier), was the result of a compromise, and was agreed to by a large majority of the Select Committee. He should be prepared to defend the principles of these clauses in Committee.

Mr. REARDEN gave his cordial support to the Bill, which he believed was very much wanted. Newspaper proprietors had done their duty admirably, and should not be subject to such restrictions as at present. Being a great reader of newspapers, and a subscriber during thirty-five years to no less than nineteen of them, he thought he was entitled to express an opinion on the subject.

Motion *agreed to.*

Bill read a second time, and *committed* for *Wednesday*, 20th May.

## ARTIZANS' AND LABOURERS' DWELLINGS BILL—[Bill 1.]

(*Mr. M'Cullagh Torrens, Mr. Kinnaird, Mr. Locke.*)

COMMITTEE.

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 5, inclusive, *agreed to.*

Clause 6 (Officer of Health to report as to Condition of Streets).

Mr. HARVEY LEWIS objected to its terms as giving too much power to medical officers of health.

Mr. Serjeant GASELEE agreed with the hon. Member for Marylebone (Mr. Harvey Lewis), and said that in legislating on this subject they must take care not to introduce continental despotism.

Mr. LEEMAN said, this was one of the most useful clauses of the Bill.

Mr. HENLEY complained that as the clause was now drawn the report of the officer of health could be carried out without giving the owner of the premises notice, and his only remedy would be by an appeal. The clause ought to be amended so as to give him notice in the first instance, and allow him to be heard upon the complaint made of the state of his property.

Mr. GOLDNEY said, this clause merely provided how the Act was to be put in motion. The subsequent clauses provided for carrying into effect the medical officer's report. The objection might more properly be taken upon the 8th clause.

Mr. **THOMAS CHAMBERS** objected to the clause and to the whole scope and substance of the Bill, on the ground that it would lead to an enormous extent of taxation. Knowing that in Marylebone the limit of endurance had been reached with reference to local taxation he hoped the House would reject the clause. The medical officer was not only to inspect streets and premises, but to report if their condition, state, and situation were injurious or prejudicial to health. There was not a town in the kingdom where exception might not be taken to the situation of houses ; and were they on the mere report of the officer of health to have them swept away? This Bill was not required; for more had been done during the last ten years to improve the dwellings of the labouring classes than had been done in the previous 100 years.

Mr. **M'CULLAGH TORRENS** thought it was not within the province of the Committee to renew the discussion on the policy of the measure. The Bill had been twice read a second time, and would have gone through Committee but for want of time. He defended the provision contained in this clause as beneficial and necessary.

Mr. **HARVEY LEWIS** said, there was hardly a street that might not be swept away under the clause. A medical officer might have reported at one time against that House on the ground that its situation in proximity to the Thames was prejudicial to health, and have had it swept away.

Mr. **GATHORNE HARDY** said, he would remind the Committee that the clause was identical with that in the Building Act ; so that it was not new. All the clause imposed was that the medical officer should report; and as the principle had been previously affirmed by the House, it was their duty to endeavour to bring the Bill into such a shape as that it should be just to the ratepayers and beneficial to the inhabitants of these miserable and wretched dwellings. This clause, after all, merely provided for a report which need not be carried out. The question of increasing the rates was a material one, and deserved consideration.

Sir **J. CLARKE JERVOISE** said, he hoped the hon. Member for Marylebone (Mr. Harvey Lewis) would divide the Committee on the clause. They ought to use very great caution before adopting it. He thought it would be very difficult to find an officer of health whose discretion would warrant their intrusting to him the carrying of this clause into operation.

Mr. **GREENE** thought the objection of the hon. Member for Marylebone (Mr. Harvey Lewis) should have been taken at an earlier stage of the inquiry. He had no respect for any man who dared to get up in the House and say the dwellings of the poor were not a disgrace to the country. It was all very well to talk about sweeping away districts—that was all clap-trap. He was in favour of the Bill in the main, and he feared that, if it were now thrown over, legislation upon this important question would be for a long time delayed. He was surprised at the opposition of the hon. Member for Marylebone (Mr. Harvey Lewis) to the measure ; and he thought that hon. Gentlemen who went to the hustings with professions of anxiety for the welfare of the working man on their lips ought to carry out those professions practically in the House.

Mr. **AYRTON** said, he trusted the opposition to the clause would be withdrawn. All it did was to carry out to a further extent than had hitherto been done the policy of the Act of 1855. It simply provided that if a house was in a certain bad and unhealthy condition it should be brought under the notice of the local authorities. That, he considered, was a very necessary provision in order to rescue the poor from the consequences of the past neglect of the Legislature. As to the expense he trusted the House would put the expense incurred for the metropolis on the metropolis.

Sir **FRANCIS GOLDSMID** suggested a modification in the terms of the clause. He was friendly to the measure; but he thought that the scope of the duties assigned to the officer of health was too wide, and he wished to restrict the duties of the surveyor by leaving out the word "prejudicial." "injurious" or "dangerous" was quite sufficient.

Mr. **LABOUCHERE** said, other parties besides the inhabitants of Marylebone had petitioned against the Bill, and the clause under discussion would be so exceedingly expensive in the carrying of it out that practically it would be inoperative. He thought a clause ought to be introduced into the Bill to provide that a certain number of cubic feet of air should be provided for each person by the construction of the dwelling.

Clause *agreed to.*

Clause 7 *agreed to.*

Clause 8 (Officer of Health to deliver Copies of Report to Clerk of Local Authority and Clerk of Peace).

Mr. CANDLISH moved an Amendment to the effect that the contents of the report of the local officer of health affecting the premises of any person should be communicated to that person, in order that he might have an opportunity of removing the nuisances complained of, without the necessity of his being summoned in the first instance before the quarter sessions or the magistrates.

Mr. GATHORNE HARDY thought that until the Committee had determined by whom the orders were to be made, they were not in a position to go on with the Bill.

Mr. LEEMAN proposed an Amendment which he thought would meet the view of the hon. Gentleman—namely, that a copy of the inspector's report be delivered to the person whose premises were reported to be unhealthy.

Amendment *agreed to.*

Clause *agreed to.*

Clauses 9 and 10 *agreed to.*

Clause 11 (Local Authority to prepare Plan and Specification of required Works).

Mr. CANDLISH suggested that an alteration should be made, for the purpose of giving a discretion to the local authorities. As the clause stood the local authorities would have to carry out the suggestions of the local inspector.

Clause *agreed to.*

Clauses 12 and 13 *agreed to.*

Clause 14 (Owner to execute specified Works, or sell Premises to the Local Authority).

Mr. CANDLISH moved an Amendment that would substitute "fourteen days" for "three calendar months," with the view of preventing owners postponing the execution of works for too long a period.

Mr. GRAVES said, the clause as it stood was an exact copy of one which had for some years been working in the most satisfactory manner in Liverpool.

*Mr. Labouchere*

Mr. CANDLISH said, that as this was the case he would withdraw his Amendment.

Clause *agreed to.*

Clauses 15 to 23, inclusive, *agreed to.*

Clause 24 (Local Authority to pay Compensation when total Demolition required).

Mr. POWELL moved to omit the words "subject to the provisions of this Act with reference to the use thereof," his object being to leave the owners of property interfered with under the Act in the same condition as other owners of property.

Mr. M'CULLAGH TORRENS objected to the proposal.

Amendment, by leave, *withdrawn.*

Clause amended, and *agreed to.*

Clauses 25 and 26 *agreed to.*

Clause 27 (House to be improved may be taken down).

Mr. POWELL objected to the effect it must have upon the disposal of the ground from which premises should be removed. It would, he contended, if adopted, impose a restraint upon the use of the land even for purposes that might be desirable for the public good or for the private advantage of the owner. By various local Acts, in force in almost all the large towns, there was ample power given to the local authorities to regulate the erection of buildings. He proposed to omit certain words, to get rid of the objectionable effect of the clause.

Mr. GOLDNEY observed that the clause was simply conditional, and could not be acted upon without the previous assent of the local authorities.

Mr. GRAVES remarked that the point under discussion was one with reference to which previous legislation had failed. It happened that, after the ground was cleared, there were instances of warehouses and sheds being erected on the site, thus preventing the free circulation of the air, and causing an evil as great as the one intended to be redressed by the clearing of the ground. In fact, a very high price was paid for improvements by the local authorities, and when the money was paid, the site was turned to private and individual purposes, This was a point that required very careful consideration, and he suggested its postponement to enable them to go carefully through it.

Mr. HENLEY could not see on what principle severe restrictions should be placed upon a man who, having pulled down his old property, was about to rebuild it.

Mr. LOCKE did not think there could be any objection to the local authorities exercising powers to prevent any deviation from the rule they may lay down as to the erection of buildings.

Sir JAMES FERGUSSON thought that all the requirements of the case could be met without the operation of this clause, and if his hon. Friend the Member for Cambridge (Mr. Powell) persevered with his Amendment to strike it out, he should go into the Lobby with him.

Mr. M'CULLAGH TORRENS thought that the operation of this clause would be very useful, especially in many districts of London, where the powers of the local authorities were far from sufficient to cope with cases which this clause was framed especially to meet.

Mr. HENLEY thought the Amendment proposed by the hon. Member for the Tower Hamlets, and which had been accepted by the author of the Bill, would answer every purpose; and therefore he hoped the hon. Member for Cambridge would withdraw his Amendment.

Mr. POWELL said, he would withdraw his Amendment.

Clause amended, and *agreed to.*

Clause 28 (Appropriation of Property acquired by Local Authority).

Mr. POWELL moved an Amendment enabling building companies, as well as the local authorities, to erect dwellings for the labouring classes.

Mr. HIBBERT proposed the omission of the words after the word "first" in line 5, down to the word "authority" in line 8, for the purpose of inserting the following words:—

> "Dispose of by way of absolute sale or exchange—or for a lease for a period of not less than ninety-nine years—any part of the premises acquired by them under this Act, so as to provide thereby for the construction of new buildings or the repair or improvement of existing buildings thereon suitable for the occupation of the labouring classes."

Colonel SYKES thought that if power was given to the local authorities to turn working people out of their dwellings on the ground that they were unhealthy, the local authorities ought to be compelled to provide better dwellings for them.

Mr. LOCKE said, if the object of the hon. Member for Oldham (Mr. Hibbert) was not to prevent the local authorities from being obliged to erect new dwellings for the poor, there was no necessity for the Amendment. He apprehended that the hon. Member's object was to relieve the local authorities of that responsibility, and therefore he should oppose the Amendment.

Mr. HIBBERT denied that that was his object.

Mr. AYRTON thought there was no necessity for the Amendment. The local authorities within seven years would be obliged to divest themselves of all property which they had acquired under this measure.

Mr. HIBBERT said, he would withdraw his Amendment.

Clause *agreed to.*

Clauses 29 to 34, inclusive, *agreed to.*

Clause 35 (Expenses of Local Authority).

Mr. CHAMBERS moved an Amendment to restrict the maximum rate to 1*d.*, instead of 3*d.*, in the pound.

Mr. GRAVES pointed out that the power to go up to the maximum was permissive, and not compulsory.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clauses 36 to 38, inclusive, *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Tuesday,* 21st of April.

## ELECTRIC TELEGRAPHS BILL.

### LEAVE. FIRST READING.

The CHANCELLOR of the EXCHEQUER, in moving for leave to introduce a Bill to enable Her Majesty's Postmaster General to acquire, work, and maintain Electric Telegraphs in the United Kingdom, said, he was sorry that he had not a more convenient opportunity to ask leave to introduce the Bill of which he had given notice; but the business of the last week had been so engrossing, that he had not been able to find a more convenient one. He was afraid that the time now at his disposal was so limited that he should not be able to detail to the House at any great length the scheme of the Government; but he would endeavour to give all the information which he thought the House could expect. The Bill was to enable the Postmaster General to acquire, maintain, and work electric telegraphs. In this country they had been in the habit of leaving to private enterprize the administration of most of the internal affairs of the country; but there had always been one exception, and that had been with regard to postal communication. He believed it had been with the entire assent and approbation of the community that that postal communication had been a monopoly in the hands of the Government. He would submit to the House that telegraphic and postal communication might be considered as coming within the same category. Both provided means for communication between correspondents at a distance, and it was only in the mode of conveying that correspondence that there was any difference. He thought it would be admitted that that which had succeeded so well with regard to the conveyance of letters might be expected to succeed equally well with regard to telegraphic communication. He was not aware of any reason having been urged against monopoly in the one case that would not hold good as regarded the other. It might be asked, for what reason was the change proposed? First of all, he thought he should be able to show by statistics that this country was behind other countries with regard to telegraphic communication, and he would quote a few figures which would show that this was the case. Now, he would take two countries—Switzerland and Belgium. He took the proportion of telegrams to letters in those two countries, and in the United Kingdom, for the year 1860, and it appeared that we were very far behind Switzerland and Belgium with respect to the proportion of telegrams to letters. In that year there was in Belgium one telegram to 218 letters; in Switzerland there was one telegram to 84 letters; while in the United Kingdom there was one telegram to 296 letters. He went on to the year 1863, when in Belgium there was one telegram to 114 letters; in Switzerland, one telegram to 74 letters; while in the United Kingdom there was only one telegram to 197 letters. Coming down to 1866, he found that there was in Belgium one telegram to 37 letters; in Switzerland, one telegram to 69 letters; but in the United Kingdom there was only one telegram to 121 letters. The great increase in the proportion of telegrams to letters in Belgium, from one in 218 in the year

1860 to one in 114 in the year 1863, was traceable to the reduction of the tariff from 1½f. to 1f.; and the further increase to one in 37 in the year 1866 was due to the reduction of the charge from 1f. to half a franc. This, he thought, showed that we were suffering from too high a rate for telegraphic communications, and if we were equally favoured with those countries, the probability was that telegraphic communication would be largely increased. We in this country were more likely to use telegraphic communications, if within our reach, than they were in the countries he had named, and for this reason, that the United Kingdom being of a much greater extent, we should save more time by communicating by telegraph instead of by letter than they could in these small countries. He had shown, therefore, the backwardness of this country as regarded telegraphic communication, and he would now endeavour to show the House that the present system did not give satisfaction to the commercial world. Last year a deputation from the Associated Chambers of Commerce waited upon himself and the Postmaster General at the Treasury on this subject, and they presented a memorial, and also petitioned Parliament on it. They complained—first, of high rates; secondly, of vexatious delays; thirdly, of inaccurate rendering of messages; and fourthly, of the absence of telegraphic communication in whole districts. Now, with respect to rates—the rates for messages were as follow: In the United Kingdom, for 100 miles 1*s*. for twenty words; for over 100 miles and under 200 miles, 1*s*. 6*d*.; for over 200 miles, 2*s*.; and between Great Britain and Ireland, 4*s*. To show the relation of charges in foreign countries to those of the United Kingdom: France for a distance of 600 miles charges for twenty words 1*s*. 8*d*.—the charge in Great Britain was 2*s*.; in Prussia, for 500 miles the charge was 1*s*. 6*d*. against 2*s*. in England; in Belgium, for 160 miles, the charge was 5*d*., against 1*s*. 6*d*. in Great Britain; and Switzerland charged 5*d*. for 200 miles, against 1*s*. 6*d*. in Great Britain. He thought that under the present system of private telegraphic communication there was not much prospect of any great reduction of rates; because the companies now concerned in telegraphic business paid dividends to shareholders, and because the administration being divided between different companies—there being four companies, besides railway companies who sent messages—the cost of administration must be greater than if it were in the hands of one body—namely, the State. He believed, therefore, that if the business of telegraphy were a monopoly of the Postmaster General he would be able to work at much lower rates, and at the same time to make the thing pay. The shortness of the time at his disposal obliged him to go at once to the provisions of the Bill he proposed to introduce. The Bill was not compulsory in its terms. It proposed to give the Postmaster General power to purchase the undertaking of any telegraph company in the United Kingdom. But as it was obvious that if the Postmaster General were to acquire one or two undertakings he would be able injuriously to affect the other companies not so purchased, it was proposed that in the case of his purchasing one undertaking, any or all of the other companies concerned in conveying telegraphic messages should be able to compel him to purchase their undertakings at a price arranged by arbitration. Then with regard to the railway companies. There had been some difficulty with respect to them. There were, as they knew, some railway companies which either themselves or by means of lessees, worked the telegraphic wires for their own business, and also conveyed messages for the public; and it was thought that some of these companies might be unwilling to relinquish the use of their wires for their own railway purposes; while at the same time, if a Government competition were established, they would lose that profit which they now acquired from conveying messages for the public. A provision had therefore been made in the Bill, that, in the case of railway companies having wires used for that joint purpose, they should be able to compel the Postmaster General to purchase their right to convey messages for the public, so that those companies would be left in the same position, as regarded profit and loss, as they were in under existing arrangements. He would say that that power to compel the Postmaster General to acquire those works was limited to a period of twelve months from the passing of the Act, or from the acquisition of the first undertaking, he forgot which.

Mr. SPEAKER here called the attention of the right hon. Gentleman to the fact that it was a quarter to six o'clock.

The CHANCELLOR of the EXCHEQUER then moved that leave be given to introduce the Bill.

Mr. MILNER GIBSON rose to ask the right hon. Gentleman whether the Bill sought to give exclusive power.

Mr. SPEAKER here intimated that the time during which any discussion could be taken had passed.

Motion *agreed to.*

Bill to enable Her Majesty's Postmaster General to acquire, work, and maintain Electric Telegraphs, *ordered* to be brought in by Mr. Chancellor of the Exchequer, Mr. Stephen Cave, and Mr. Sclater-Booth.

Bill *presented,* and read the first time. [Bill 82.]

### UNITED PARISHES (SCOTLAND) BILL.

On Motion of Mr. Waldegrave-Leslie, Bill to amend the Act of the seventh and eighth years of the reign of Victoria, chapter forty-four, relating to the formation of Quoad Sacra Parishes in Scotland, and to repeal the Act of the twenty-ninth and thirtieth years of the reign of Victoria, chapter seventy-seven, *ordered* to be brought in by Mr. Waldegrave-Leslie, Major Walker, Mr. Wellwood Maxwell, and Mr. M'Lagan.

Bill *presented,* and read the first time. [Bill 81.]

House adjourned at ten minutes before Six o'clock.

## HOUSE OF LORDS,

*Thursday, April* 2, 1868.

MINUTES.]—*Sat First in Parliament*—The Lord Carrington after the Death of his Father.

Select Committee—On Poor Relief *nominated.*

Public Bills—*First Reading*—Bills of Exchange and Promissory Notes* (65).

*Second Reading*—Marine Mutiny; Mutiny*; Inclosure* (61); Medical Practitioners (Colonies)* (56).

*Committee*—London Coal and Wine Duties Continuance* (59).

*Report*—Indian Railway Companies* (63); London Coal and Wine Duties Continuance* (59).

*Third Reading*—Consolidated Fund (£6,000,000).*

### PRIVATE BILLS—THE EASTER RECESS.

On the Motion of The Chairman of Committees it was—

*Resolved,* That Standing Order No. 179. Sect. 1. be suspended; and that the Time for depositing Petitions praying to be heard against Private Bills, which would otherwise expire during the Adjournment of the House, be extended to the First Day on which the House shall sit after the Recess at Easter.

## MARINE MUTINY BILL.

(*The Earl of Longford*).

### SECOND READING.

Order of the Day for the Second Reading read.

The Earl of LONGFORD, in moving that the Marine Mutiny Bill be now read the second time, said, their Lordships would be aware that discussions occurred almost annually on the subject of corporal punishment in the army, when this measure and the other kindred measure which also now stood for a second reading—namely, the Mutiny Bill—were presented to the other House of Parliament. By the Bill of last Session the power of sentencing prisoners to corporal punishment was restricted to a very few cases of aggravated offences. This year the House of Commons had adopted a further Amendment, one not proposed by the Government, and not supported by any considerable authority—the effect of which was that sentences of corporal punishment in time of peace were wholly abolished for all classes of offences. It might be doubted whether it was altogether wise to withdraw that power from the military authorities; but he did not ask their Lordships to reverse the decision of the House of Commons. He could only hope that its effect would not be prejudicial to the efficiency and discipline of the army.

*Moved*, "That the Bill be now read 2ª."—(*The Earl of Longford*).

The Duke of CAMBRIDGE said, that before the House agreed to the second reading of these Bills, he wished in addition to what had fallen from his noble Friend (the Earl of Longford), to point out to their Lordships the rather awkward position in which matters now stood. He certainly had no intention of asking their Lordships to make any change in the Mutiny Bill as sent up by the House of Commons; but it was only right their Lordships should understand the position in which the military authorities stood now that corporal punishment had been wholly abolished, without any other punishment whatever having been substituted for those offences for which it had hitherto been inflicted. Accodring to the wording of the Act as it passed last year, the power given to pass sentences of flogging was extremely limited, but it was still retained for the very grave offences of mutiny and insubordination accompanied by personal violence. The cases, therefore, to which that punishment was applicable were cases of the most aggravated kind: and the position in which the Bill in its present form placed them was this—that whereas the power of inflicting that punishment for those offences had ceased to exist, no punishment of any other description had been substituted for it. There was a Royal Commission now sitting whose attention had been directed to that subject, and if that Commission had thought fit to report in favour of the total abolition of flogging, he apprehended they would have at least recommended or suggested some other mode of dealing with the class of offences which he had just indicated. But, as things now stood, nothing of that sort had been done, and those very aggravated cases under the Mutiny Bill were really unprovided for. It might perhaps be said a soldier could be shot for mutiny; but he asked their Lordships whether so extreme a punishment as that could be inflicted when flogging had been deemed too severe? The power of shooting a man on the spot was so grave that it could be justified only in the most serious cases. Therefore the military authorities were now placed, as he had said, in the most awkward position in this matter; and should they have any instance—as he hoped they would not—of aggravated mutiny or anything of that kind, in consequence of that portion of the Mutiny Act having been expunuged, he trusted their Lordships would clearly understand that the fault did not rest with the military authorities. At the same time he could not help thinking—though he was not the person to propose any alteration in the decision of the House of Commons—that this subject had hardly received the amount of attention which its importance deserved. He certainly admitted that the punishment of flogging was in itself degrading; but it was the deterring effect of a punishment to which they had to look, and he did believe there really was an immense deterring power exercised over the men by the knowledge that this punishment would be inflicted for gross misconduct. The civil law had lately adopted corporal punishment for various offences, and with what result? Since "garotting" had been visited with flogging they had had far fewer cases of that crime than before. That exactly illustrated what he meant by saying that this punishment had a great deterrent effect; and it was on that ground alone that the military authorities felt it was undesirable wholly to abolish it. Another serious point was this. He understood that the present Mutiny Act was not intended to do away with that species of punishment when the army was in the field; but if it was done away with in time of peace, it seemed to him very questionable whether it should be inflicted the moment the army took the field—the time, above all others, when they desired to raise the tone and *morale* of the troops. The object of them all must be to keep the army efficient, not only in respect to general duty, but especially in its discipline. In this country an army not in thorough discipline would be most distasteful to the people, and they might depend upon it it would give great trouble not only to the authorities but to the public at large. He therefore hoped, as that punishment had now been struck out of the Mutiny Act, that the Royal Commission now sitting would give the subject its very gravest consideration. That punishment having been expunged from our military code without waiting for their Report, he repeated that he did trust the Royal Commissioners would now more than ever devote their most anxious and serious attention to the question of what substitute should be adopted for the very powerful means which had been placed in the hands of the authorities for preventing dangerous, troublesome, and undisciplined men from committing themselves in the way they sometimes did. He was the last man to stand up for any improper punishment; but he had thought it right that their Lordships should know the exact position which they now occupied as regarded the whole question of punishments in the army.

Viscount HARDINGE said, he was not surprised that the illustrious Duke who was responsible for the discipline of the army had brought that subject forward. Very great concessions had been made by the Government in respect to it. Before last year, corporal punishment was applicable to no fewer than twelve different offences; but the Government on that occasion consented to restrict it to two—namely, mutiny and gross insubordination. It was true that under the old Mutiny Act flogging could be commuted to penal servitude, and he believed that under the present Bill also a soldier could be sentenced to penal servitude as well as to dismissal from the service. But penal servitude could be applied only in extreme cases; and as to dismissal from the service, even with ignominy, many soldiers would actually commit gross offences in order to get dismissed. Therefore, under that Bill, there was positively no substitute for corporal punishment. He felt sure that it was always a painful duty for the illustrious Duke and for officers of the army to advocate the retention of corporal punishment in time of peace, but they felt that without it the discipline of the army could not be kept up, and he for one believed that a very large majority of officers were of this opinion. He regretted that the other House should have decided this question without waiting for the Report of the Royal Commission; and that the matter should there have been treated as a party question, the announcement of the numbers having been, it was stated, received with loud cheers from the Opposition. He trusted, however, that the change would not be detrimental to the service.

Earl GREY also regretted that the result of the division had been received in "another place" with loud cheers. Of late years new notions seemed to have sprung up as to the duties of an Opposition. It was certain that, in old times, it used to be considered the duty of those who had held high office under the Crown to be present when Motions of this kind came under consideration: but, on consulting the Division List, he found that not a single Gentleman who held office under the late Administration was present, to take part in the discussion, or to vote on one side or the other. Thirty years ago, when he was Secretary at War, this question of corporal punishment occasioned a great deal of excitement. There was a strong opposition to the continuance of corporal punishment; but he thought it his duty to resist the Motion for its abolition. He wished to restrict the punishment as much as possible; but he believed that entirely to do away with it in extreme cases would be dangerous to the service and disadvantageous to the really good soldier. The father of the noble Viscount (Viscount Hardinge) gave him the most able and efficient support in meeting this Motion, and it was very much owing to his aid and assistance that he was able to convince the House of the danger of agreeing to the Motion. When he subsequently sat upon the Opposition Benches he thought it his duty to assist the Government in resisting a similar Motion. Of late years, however, a new doctrine had sprung up, as to the responsibility of the Opposition. It used to be thought that the Members of the Opposition who had served the Crown were not less responsible than the Members for the Government, and that they were bound to use their best efforts to prevent the passing of any measures prejudicial to the public service, and to give the House the benefit of their advice and official experience. These remarks were, he thought, called for by the conduct of those who were in Opposition both on one side and the other.

EARL DE GREY said, he presumed the remarks of the noble Earl applied principally to his noble friend Lord Hartington, the late Secretary of State for War. But the fact was that he was a member of the Royal Commission to inquire into the question of the discipline of the army, and at an early period of the debate Colonel Wilson-Patten, also a member of the Commission and a Cabinet Minister, laid it down that no member of the Commission ought to take any part in the division. On Mr. Otway's Motion Mr. Gladstone paired against the Motion during the dinner hour, and the division came on unexpectedly during his absence. The noble Earl's own practice must have told him that Members who had held high office occasionally paired during the dinner hour. As the division came on sooner than was expected, perhaps this would account for the absence of the names in question from the division.

THE MARQUESS OF EXETER said, he could confirm from his own experience the necessity for substituting some other punishment if they abolished corporal punishment. When he was at Gibraltar some men in certain regiments were in a highly insubordinate state, and two separate Courts martial were appointed to try the offenders. One of these Courts martial was presided over by a field officer of the Line, and the other by himself. Some of the men insulted the Court, and the only way in which order could be preserved was by sentencing one man to corporal punishment, and another to three months' imprisonment. This was effectual; but if flogging were done away with, he feared that scenes such as he had witnessed would often occur, greatly to the inconvenience of the service.

EARL GREY explained that he had not particularly alluded to the Marquess of Hartington; but it was the fact that no Members of the late Government voted against the Motion of the hon. Member for Chatham.

EARL RUSSELL said, that his noble Friend (Earl de Grey) had, he thought, entirely vindicated Lord Hartington. Without entering into the question of the expediency of corporal punishment, it appeared to him that Her Majesty's Government might have inferred from the debate and division of last year, that whenever the question came on this year, there would be a very considerable majority in favour of the abolition of flogging. He thought that after the division of last year the Minister of War ought to have immediately appointed a Royal Commission to sit during November and December, and then, when the House met in February, they might have had the Report of the Commission, and their suggestions as to the best substitute for corporal punishment.

THE EARL OF LONGFORD said, that the Secretary of State for War had been taken by surprise by the impatience of the House of Commons, and was not prepared to recommend at once a change in the system of military punishments. As a Royal Commission now had the subject under consideration, with the best means of forming a judgment, the Secretary of State would await their Report without taking any further steps. With regard to the conduct of the front Opposition Bench, as he might not be a good judge, he would rather leave that question in the hands of the noble Earl on the cross Benches (Earl Grey).

Motion *agreed to:* Bill read $2^{a}$ accordingly; Committee *negatived,* and Bill to be read $3^{a}$ *To-morrow.*

MUTINY BILL read $2^{a}$ (according to Order): Committee *negatived;* and Bill to be read $3^{a}$ *To-morrow.*

### POOR RELIEF BILL [H.L.]

Select Committee on: The Lords following were named of the Committee:—

L. Abp. York
D. Richmond
M. Salisbury
E. Devon
E. Denbigh
E. Hardwicke
E. Carnarvon
E. Grey
E. Ducie
E. Ellenborough
E. Kimberley
V. Eversley
L. Clinton
L. Egerton
L. Northbrook.

## PUBLIC PETITIONS—APPOINTMENT OF A SELECT COMMITTEE.

### PRINTING PETITIONS.

EARL RUSSELL *moved* (according to Notice)—

> "That a Select Committee be appointed to whom all Petitions presented to this House shall be referred, with Instructions to the said Committee to report whether any of the Petitions so referred ought to be printed for the Use of this House."

It very frequently happened that the Petitions presented to the House contained matters of great importance, and which would be of great use to their Lordships in subsequent discussions.

Lord REDESDALE thought that the adoption of the proposal would entail considerable expense with no corresponding advantage, for the Petitions would very seldom be read by anyone. It was open to persons who desired publicity to be given to a particular Petition to print and circulate it for the benefit of the public and of the Post Office. It was likewise in the power of any noble Lord to propose that a Petition be printed, in which case the House would decide whether it was advisable that it should be done. The question had been discussed on previous occasions, and it had always been thought better to adhere to the existing practice. He should like to hear the opinion of noble Lords on the subject; because there could be no objection to deal with it according to the general sense of the House.

Earl STANHOPE gave his cordial support to the proposal. He was of opinion that the printing of Petitions might, in many cases be very useful. The only doubt he entertained was rather as to a point of form. The noble Earl proposed that the Committee should report to the House what Petitions should be printed. Now, he thought it would be a great saving of time if the Committee should have power at once to order the printing of such Petitions as they might think advisable. Such, he believed, was the case with the Committee of the House of Commons.

The Duke of SOMERSET said, as he understood the proposal of his noble Friend (Earl Russell), it would not interfere with the power which any noble Lord had now of moving that a Petition be printed.

Lord LYVEDEN approved the suggestion made by the noble Earl opposite (Earl Stanhope) that the Committee should have power to order Petitions to be printed.

The Earl of MALMESBURY said, as far as his own opinion was concerned—for this was not a Government question—he saw no objection to the proposal of the noble Earl (Earl Russell) except that it would entail some expense. At the same time, he thought some Petitions might be very usefully printed. At present the public were under the impression—not a very wrong one—that very little attention was paid to Petitions presented to Parliament, and, perhaps, the adoption of this Resolution might give a new impetus to the presentation of such addresses. As to the proposal of the noble Earl, interfering with the right of any Peer to move that his Petition be printed, he apprehended it would have no such effect. The fact that a Peer had made a Motion to have his Petition printed, if the House agreed to it, would supersede the necessity of the Committee ordering the printing of the same Petition.

Earl RUSSELL said, he had no objection to adopt the noble Earl's (Earl Stanhope's) suggestion that the Committee should have power at once to order the printing of Petitions.

Lord REDESDALE thought the practice of printing Petitions might be very much abused. A person might present a pamphlet in the shape of a Petition, and have it printed at the public expense. He only hoped when the Petitions were printed that their Lordships would read them.

The Marquess of CLANRICARDE said, that the Committee, of course, would exercise a discretion with respect to the Petitions that should be printed, and he thought that power might very well be given to them.

After a few words from Lord Stanley of Alderley,

Motion amended, and *agreed to.*

*Resolved,* That a Select Committee be appointed to whom all Petitions presented to this House, other than Petitions relating to Private Bills, shall be referred, with Instructions to the said Committee to direct the printing for the Use of the House of such Petitions as they shall think fit.—(*The Earl Russell.*)

## BUSINESS OF THE HOUSE.

### RESOLUTIONS.

The Earl of MALMESBURY, who had given notice to move the following Resolutions:—

1. That it is expedient that Notice of an Intention to ask a Question should be given in the Minutes, except in Cases which admit of no Delay:

2. That the Committee of Selection are desired to exercise their Discretion in calling for the Service of Lords absent from the House:

3. That in future, in entering the Reports of Bills amended in Committee of the Whole House in the Journals, instead of the Report of such Amendments being entered as made formally by the Chairman of Committees, the Name of the Lord who moves the Reception of the Report and takes charge of the Bill in that Stage be substituted.

said, he would direct their Lordships' attention to a subject which had been discussed on Thursday evening—the Report of the Select Committee upon the Conduct of Business in their Lordships' House. It appeared to him at that time that the best way to proceed would be for their Lordships to assent to the Report, and that the recommendations of the Committee should be discussed in detail afterwards, at their Lordships' discretion. He had inferred, however, from the debate of the other night, that their Lordships would prefer that the recommendations of the Report should be embodied in a set of Resolutions to be proposed *seriatim.* That wish of their Lordships he had endeavoured to carry out. He thought the most convenient course would be to move the Resolutions separately, and their Lordships could discuss them one by one as they were moved. He begged to move the first Resolution.

*Moved* to resolve—

"That it is expedient that Notice of an Intention to ask a Question should be given in the Minutes, except in Cases which admit of no Delay."—(*The Lord Privy Seal.*)

VISCOUNT HALIFAX said, he thought that the Resolution of the noble Earl went beyond the recommendation of the Committee, and, if carried, would put a stop to many Questions which might be fairly asked without notice. In the other House of Parliament there was a very convenient usage, no discussion being permitted on a Question being asked. He concurred in the opinion that it was not desirable to stop the putting of Questions in all cases without formal notice; but, at the same time no Question which was at all likely to give rise to debate ought to be put without notice having been given. The proposal of the noble Earl, in its present form, might put a stop to a number of Questions that were not likely to raise debates; and it was scarcely expedient to go quite so far as that.

EARL RUSSELL said, he saw no objection to the Resolution as proposed. It would have the effect of stopping any noble Lord from putting a Question at ten minutes past five o'clock, and thus initiating a debate which might last a considerable time, to the great inconvenience of those noble Lords who had given notices. He thought it might fairly be left to the discretion of noble Lords not to put Questions early in the evening without notice, unless they could be answered at once by the heads of Departments, or unless it was apparent that the Question was such as to show the propriety of suspending the rule in that instance.

LORD TAUNTON said, he did not think the present practice of the House led to any serious inconvenience, for noble Lords usually gave notice of Questions when they were of such a character as probably to give rise to discussion. He thought it undesirable that any positive rule should be laid down.

LORD LYVEDEN said, that the Resolution carried out the intention of the Committee in making the recommendation. In the other House, the Speaker would stop any Member seeking to put a Question without notice, as being contrary to the rules of the House. In their Lordships' House, however, they had no similar functionary whose duty it would be to stop any irregularity. The great point to be attained was, no doubt, to put a stop to the practice of putting without notice Questions which were likely to give rise to debates.

EARL GRANVILLE suggested that the noble Earl should vary the Resolution, and follow more precisely the words of the Committee. This would stop the practice of putting Questions without notice, when there was no necessity for haste; but would not prevent the putting of urgent Questions, although they might possibly give rise to discussion.

THE DUKE OF CLEVELAND said, there ought to be some rule on the subject which should be sufficiently distinct to prevent debates being raised upon Questions; but the rule could always be suspended in cases in which the House might think discussion desirable.

THE LORD CHANCELLOR said, that if their Lordships followed the precise words of the Committee they might not attain the object the Select Committee had in view. That object was not merely to prevent the putting of Questions without notice; for that object might easily be gained by the refusal of the Minister or the other Member of the House to whom the Question was addressed to give an answer until he should have had an opportunity of informing himself upon the subject to which it related. The real evil was the debate which was sometimes raised by putting a Question. It had been complained that Questions had been put and discussions raised without notice; and it went forth to the public that many noble Lords who might have been most anxious to express their opinions on the subject had been denied the opportunity of so doing. That was the evil which had to be remedied; but what he was afraid of was that the Resolution would, on the one hand, operate to prevent Questions being put which might very conveniently be asked; and, on the other hand, it would not check discussion, because, without a Question, by other devices easily specified, any Member of their Lordships' House might initiate a discussion upon any subject. He suggested that the Resolution, instead of taking the form which had been proposed, should be in these words—

"It is desirable, where it is intended to make a Statement, or raise a Discussion on asking a Question, that Notice of the Question should be given in the Minutes and Orders of the Day."

He therefore proposed that the following Resolution should be substituted for the proposed Resolution:—

"That it is desirable where it is intended to make a Statement, or raise a Discussion on asking a Question that Notice of the Question should be given in the Orders of the Day and Notices."

THE EARL OF MALMESBURY considered that the suggestion of his noble and learned Friend would be an improvement upon his Resolution, and proposed that their Lordships should adopt it.

Motion (by Leave of the House) *withdrawn.*

Then it was *moved* to resolve,

That it is desirable where it is intended to make a Statement or raise a Discussion on asking a Question that Notice of the Question should be given in the Orders of the Day and Notices.—(*The Lord Chancellor.*)

THE MARQUESS OF CLANRICARDE warned their Lordships against the proposed alteration, which he conceived was opposed to the spirit of the privileges and usages of that House from time immemorial. The Resolution which they already possessed, providing that the Business on the Paper should be proceeded with at a quarter past five o'clock was quite sufficient, and he preferred it to the one now moved. It would be very injudicious for their Lordships to bind themselves down in the manner now proposed.

EARL STANHOPE said, his noble Friend who had just sat down did not seem aware of the precise grievance which it was sought to remedy. He was surprised that one who had attended so closely to the debates in that House as his noble Friend should not have been aware of numerous occasions on which a noble Lord, who had only given a private notice to the Minister of the Crown, had risen a few minutes before a quarter past five o'clock, and made an hour's speech in reference to a matter of which the House had not been apprised. The consequence was that, the House having had no notice of the Question, the debate which might otherwise have been of general interest was confined to the noble Lord who put the Question and to the Minister of the Crown. He thought that the debates of the House had suffered materially from the existence of that practice. The objections to the Resolution were met by the Amendment of the noble and learned Lord on the Woolsack.

Motion *agreed to.*

THE EARL OF MALMESBURY moved the second Resolution—

"That the Committee of Selection are desired to exercise their Discretion in calling for the Service of Lords absent from the House."

LORD REDESDALE explained that the Committee of Selection had already the power of proposing the name of any Peer; but, as a matter of fact they did not propose Peers who were known to be absent, nor any Peer without first communicating with him. The object of this Resolution seemed to be to direct the Committee of Selection to be less careful about obtaining the consent of a Peer before nominating him on a Committee. He saw no reason why the Resolution should not be adopted.

THE MARQUESS OF CLANRICARDE remarked that the Committee of Selection did exercise their own discretion at present.

EARL GRANVILLE said, he wished to see adopted much the same system as was adopted in the House of Commons with regard to Members selected to serve on Committees. Many Peers who were perfectly able to perform these duties avoided doing so by absenting themselves from the House, except upon great party debates and divisions; and thus the matter had an important bearing on the attendance in that House — a subject which had been commented on out of doors. This was a great grievance, which he should like to see put an end to. Then, again, many young Members of the House—having made their engagements for the next month, whether for pleasure, business, or otherwise—now refrain from coming down to the House, where they might train themselves for taking part in its discussions, from a fear that if they showed their faces there they might be pounced upon by the noble Lord

(Lord Redesdale), or the other Peers who selected the Private Bill Committees.

LORD REDESDALE said, he was sorry if any noble Lord stayed away from the fear of being asked to serve; because it had not been his practice to ask any Peer to serve on a Committee when he could plead any important engagement, or any other sufficient reason. Owing to the time when the Private Business came up to their Lordships' House, it would be impossible to appoint their Committees by rota in the manner adopted in the other House. At first they might find many Peers willing to serve, while few would offer themselves afterwards, and some would have to serve twice; but there would not be the same disposition as was now shown to undertake those duties voluntarily. The present system, even when there was a considerable pressure of business, worked well.

THE EARL OF CARNARVON wished the Resolution could be brought back to the original form in which it stood in the Report of the Committee; and if the noble Earl opposite (Earl Granville) gave the House an opportunity of dividing on his proposition, he would support him. The Resolution, as it now stood, was mere surplusage, as it only asked the Committee of Selection to exercise a discretionary power, which they already exercised.

THE DUKE OF MARLBOROUGH said, the proposal of his noble Friend the Lord Privy Seal was not that the House should give a discretion to the Committee of Selection which they already possessed, but that they should be requested to exercise that discretion when deemed advantageous.

VISCOUNT HALIFAX said, what was really desired was that the absence of a noble Lord from that House should not exempt him from serving. He would, therefore, suggest the adoption of words to this effect—

"That the Absence of any noble Lord from this House, except on sufficient Reason, ought not to prevent the Committee of Selection from calling for his Services."

THE EARL OF KIMBERLEY preferred the words just suggested to those proposed by the Lord Privy Seal; and he trusted that the Resolution, when adopted, would not remain a dead letter. It was both desirable and just that Peers who were in the habit of absenting themselves from the House should be called upon to serve on Committees when their services were required.

*Earl Granville*

EARL STANHOPE opposed the Resolution, which he regarded as open to great practical objection.

EARL COWPER said, that some years ago he moved for a Return of the number of Peers who had served on Committees. He believed that in the year to which the Return referred only 120 Peers out of the whole number of Members of their Lordships' House had served on a Committee at all. The consequence was that many Peers had been obliged to serve twice; and, besides the Chairmen of the different Committees, one Peer had served on three Committees. Thus a heavy burden was entailed upon conscientious Peers by the idleness and default of others. The system under which the noble Lord (Lord Redesdale) obtained Members to sit on Private Bills must remind their Lordships of the system of recruiting for the British army. There was one great difference certainly; for he had never heard of the noble Lord offering anyone anything to drink; but he was obliged to go round and to whisper first to one and then to another, holding out hopes where he could that the inquiry would not be a very long one. He should be sorry to see a system of conscription adopted for the British army; but a well-managed conscription for compelling the Members of that House to take their fair share in Private Business would be a very good thing.

LORD CHELMSFORD *moved* an Amendment—

To leave out from ("Selection") to the end of the Motion for the Purpose of inserting the Words following, ("should in the Exercise of their Discretion call more frequently than at present for the Service of Lords absent from the House.")

THE EARL OF MALMESBURY could not agree to the Amendment.

EARL STANHOPE thought that the Amendment of the noble Viscount (Viscount Halifax) exactly met the wants of the case.

Amendment (by Leave of the House) *withdrawn.*

Then it was *moved* to resolve,

That the Absence of any Lord from this House, except for sufficient Reason, ought not to prevent the Committee of Selection from calling for his Services.—(*The Viscount Halifax.*)

Motion *agreed to.*

Then it was *resolved*—

That in entering in the Journals the Reports of Bills amended in Committees of the Whole House, the only Name entered therewith shall be that of the Lord who moves the Reception of the Report and takes Charge of the Bill in that Stage.—(*The Lord Privy Seal.*)

### BILLS OF EXCHANGE AND PROMISSORY NOTES BILL [H.L.]

A Bill to amend the Law of Bills of Exchange and Promissory Notes—Was *presented* by The Lord Somerhill; read 1ª. (No. 65.)

House adjourned at a quarter past Seven o'clock, till To-morrow, half past Ten o'clock.

## HOUSE OF COMMONS,

*Thursday, April* 2, 1868.

MINUTES.]—Supply—*considered in Committee* —Civil Service Estimates—Classes 1 to VII.
Public Bills— *Ordered*— County General Assessment (Scotland)*; Peerage (Ireland).*
*First Reading*—Peerage (Ireland)* [83]; County General Assessment (Scotland)* [84].
*Second Reading*—Petty Sessions and Lock-up Houses* [75]; Prisons (Compensation to Officers)* [80]; Renewable Leasehold Conversion (Ireland) Act Extension* [61]; Metropolis Gas [49].
*Committee*— Local Government Supplemental* [77].
*Report*—Local Government Supplemental* [77].
*Considered as amended*—Industrial Schools (Ireland)* [6].

### PRIVILEGE—MEMBERS' SEATS IN THIS HOUSE.—OBSERVATIONS.

Colonel GREVILLE-NUGENT said, he wished to call the attention of the House to a Question of Privilege. The number of seats in the House was very limited, and it would be extremely convenient to Members to know the rule upon which seats were to be retained for the night. Last year a Question arose upon this very matter with respect to two Gentlemen on the other side of the House, who had placed their cards on the Bench before the Speaker came in to Prayers. On that occasion he believed it was ruled that it was necessary a Member should be present at Prayers in order to secure his seat for the night, and that no card left upon the seat before that time would entitle an hon. Member to a seat for the night unless he had been present at Prayers. He thought it was also laid down on that occasion that if any hon. Member placed his hat upon the seat, it was to be supposed that he remained within the precincts of the House, and if he returned before the Speaker came in to Prayers he was entitled to retain the seat for the night. Now, he came down to the House shortly after three o'clock for the purpose of securing a seat, and placed his hat on a vacant seat next to that of the hon. Member for King's County. A few minutes afterwards he returned, and found that his hat had been removed, and that his seat was occupied by the hon. and gallant Member for Aberdeen. He remonstrated with the hon. Member, because he had perceived that it was the usual courtesy of the House to respect hats. The hon. Member told him that he had been twelve years in the House, and he replied that he had had the honour of sitting in the House sixteen years, and during that time he had never removed any hon. Gentleman's hat. He thus found himself without a seat; and, thinking that it would be very much for the convenience of the House to know, he wished to ask Mr. Speaker, whether the rule he had mentioned would be adhered to?

Colonel SYKES said, he thought the House would expect from him some explanation as to the charge of want of courtesy on his part. He disclaimed any want of courtesy. The rule of the House was that no Member should have a claim to a particular seat unless he was at Prayers, and unless he put his card on the back of the seat; but there were a great number of Members who were constant in their attendance at Prayers, and who therefore by the courtesy of the House were allowed constantly to occupy certain seats. ["No, no."] He said Yes. On that very Bench there were five Members who continually occupied the same seats in consequence of their constant attendance at Prayers for many years. During the three Parliaments he had been in the House he had occupied the same seat, or the corresponding one on the opposite side, and it had rarely been occupied, though accident had kept him from Prayers. He had an instance of what he stated to be the custom in the case of the hon. Member below him—the hon. Member for Sheffield, who had occupied the same seat ever since he (Colonel Sykes) had been in the House.

Mr. SPEAKER: The Question raised by the hon. and gallant Member for Longford (Colonel Greville-Nugent) has been often under the consideration of the House, and the House has laid down rules upon the subject for the observance of its Members. The hon. and gallant Member accurately stated what passed relative to this question last year, and the words that were used upon that occasion are now before me. It was then observed that hon. Members who came down early in the morning to attend to their duties were placed at a disadvantage, because, being confined to the Committee-room, they could not come into the House until their seats had been secured by others. Under these circumstances it was decided that any Member who, having come down to the House in the morning in the discharge of his duty on a Committee, shall before Prayers place his hat on a seat as an indication of his personal attendance within the precincts of the House shall be permitted to retain that seat, as though he were present in the House. Arrangements were made by the Serjeant-at-Arms to give effect to the wishes of the House, and those arrangements were generally acquiesced in. I think, therefore, that after the discussion that occurred last year, it may be taken to be one of the rules of the House with respect to this matter; and under these circumstances any Gentleman who, having placed his hat upon a seat, and being in immediate attendance upon the House, on returning here has a right to expect that that seat will be reserved for him. That I understand to be a rule, generally accepted by the House, and one therefore which all Members ought to respect.

## MERCHANT SHIPPING CONSOLIDATION BILL.—QUESTION.

Mr. GRAVES said, he wished to ask the Vice President of the Board of Trade, If he can say when the Merchant Shipping Consolidation Bill will be introduced?

Mr. STEPHEN CAVE replied that, in consequence of his hon. Friend's Notice, he had communicated with the person who had been engaged to draft this Bill, and who had been unexpectedly delayed, owing to circumstances of a private nature, and by no fault of his own. That gentleman had informed him that he was giving up other business in order to devote himself to the work of consolidation, and drawing new clauses; and that he hoped to have completed his work before the Session was much farther advanced.

## TECHNICAL EDUCATION — MR. WHITWORTH'S ENDOWMENT.—QUESTION.

Mr. BRUCE said, he wished to ask the Vice President of the Committee of Council on Education, If it is true that Mr. Whitworth has offered a very large sum to be applied in promotion of Technical Instruction; and, if so, whether he can state what is the precise nature of the endowment, and whether he can lay upon the table of the House any Papers on the subject?

Lord ROBERT MONTAGU: Sir, it is true that Mr. Whitworth has made a most munificent offer, in a letter addressed to the First Lord of the Treasury, on the 18th of March last. Mr. Whitworth proposes to found thirty scholarships of the annual value of £100 each, to be open to public competition, and to be obtained by proof of intelligence and efficiency in mechanics and cognate sciences. I need not say that that generous offer was accepted with thanks by the Committee of Council on Education, and the Minute embodying his letter, which is the only Paper on the subject, I propose to lay on the table of the House.

## COURT OF CHANCERY—SALARIES AND EXPENSES.—QUESTION.

Mr. CHILDERS said, he would beg to ask Mr. Chancellor of the Exchequer, Whether it is his intention to propose to Parliament, during the present Session, to charge the salaries and expenses of the English Court of Chancery on the Consolidated Fund and Votes of Parliament, as is now the case with the other Courts of Common Law and Equity in the United Kingdom; and, whether, as the salaries, compensations, and other expenses of the Irish Court of Chancery are so charged under the Act of 1867, he intends to apply to Parliament for power to wind up the Suitors' Fee Fund, Exchequer Compensation and Fee Fund, Chancery Compensation and Fee Fund, Bankruptcy and Compensation Fund, and Box Fund. He would put, at the same time, the other Question of which he had given Notice. Whether it is the intention of the Government to follow up the inquiry as to fees, commenced by the Committee of which Mr. Goschen was Chairman, appointed by the late Board of Treasury?

The CHANCELLOR of the EXCHEQUER, in reply, said, it was not the intention of the Government to introduce a measure for the purpose of winding up the funds alluded to by the hon. Member, nor did the Government propose to introduce, at present at all events, a Bill to deal with the Court of Chancery in the way suggested by the hon. Member. With reference to the hon. Member's Question respecting the Commission, it was the intention of the Government to follow up the inquiry as soon as time and circumstances would admit.

### VACCINATION—SMALL-POX AT WOOLWICH.—QUESTION.

Sir J. CLARKE JERVOISE said, he wished to ask the Vice President of the Committee of Council on Education, Whether he has noticed a paragraph in a Medical Journal relating to a recent outbreak of small-pox at Woolwich, in which it is stated that "four new" and "eleven fresh cases were vaccinated;" and how this statement is to be reconciled with that of the Vice President of Council on Education, on the Vaccination Bill of 1867, that "small-pox is absolutely preventable by vaccination?"

Lord ROBERT MONTAGU said, in reply, that he had not spoken of an imperfect vaccination of individuals, or of a partial vaccination of the population. By a perfect vaccination of the whole people the disease could be stamped out. As an example he might mention that this had been done in one district by the energy of Dr. Hughes, of Mold, in North Wales. The paragraph from the *British Medical Journal*, which the hon. Baronet had sent him, was favourable to that view. It commenced thus—

> "Arrest of the Small-pox at Woolwich.—We are very glad to learn that the careful measures of vaccination and visitation instituted on the advice of Dr. Seaton, at Woolwich, are really telling now."

He was happy to be enabled to say that small-pox was nearly eradicated at Woolwich.

### ECCLESIASTICAL COMMISSIONERS—BENEFICE OF KILPEC, HEREFORD.

#### QUESTION.

Colonel BARTTELOT said, he wished to ask the Judge Advocate, Whether the Ecclesiastical Commissioners admit that the benefice of Kilpec, in the county of Hereford, has a local claim upon them for a grant in augmentation; and, if so, why no grant has yet been made to the benefice, although its income does not exceed £10 per annum?

Mr. MOWBRAY replied that Kilpec had at present no local claim. All the property in the parish in the possession of the Commissioners came within the special exception contained in the 12th Section of the Act of 1860. No local claim would accrue until the estimated expiration of a lease which was held for three lives, two of which were under thirty years of age. At such expiration the Commissioners were bound to consider the wants and circumstances of the place. Kilpec had no claim in respect of population, which is only 267.

### ELECTION PETITIONS AND CORRUPT PRACTICES AT ELECTIONS BILL—BRIBERY AT MUNICIPAL ELECTIONS.—QUESTION.

Mr. J. STUART MILL said, he would beg to ask the First Lord of the Treasury, Whether it is his intention to propose any measure, either separately or as a provision, in the Election Petitions and Corrupt Practices at Elections Bill, for the prevention of bribery at Municipal Elections?

Mr. DISRAELI: Sir, the subject to which the Question of the hon. Member relates is one of very great importance, but I am not prepared to deal with it in the manner he suggests. I shall make every possible effort to carry the Bill which refers to Parliamentary Elections before the dissolution. I think that that is a matter of the greatest moment; but I do not contemplate mixing it up with the subject referred to by the hon. Member.

### CASE OF POLICE SERGEANT STONE.

#### QUESTION.

Mr. LABOUCHERE said, he would beg to ask the Secretary of State for the Home Department, Whether he has any objection to lay on the table Copies of all Correspondence in his Office or in the Office of the Chief Commissioner of Police, respecting the dismissal of police sergeant Stone from the Metropolitan Police Force?

Mr. GATHORNE HARDY, in reply, said, he found that Stone was dismissed in 1864, and the case had on several occasions been investigated. A gratuity had been given to that officer, for which he expressed his thanks. He thought the matter ended there, as Stone did not complain of any other grievance, and asked for some other employment. The hon. Member was perfectly welcome to see the Papers, which were very voluminous, but he did not think any advantage would result from their being printed.

## THE ABYSSINIAN EXPEDITION ESTIMATES.—QUESTION.

Mr. FAWCETT said, he would beg to ask the Secretary of State for India, Whether he has received an Estimate of the Expense incurred in India for the Abyssinian Expedition, he having stated on the 18th of February that he had telegraphed to Bombay for this Estimate; and whether he will state its contents and lay it upon the table?

Sir STAFFORD NORTHCOTE: Sir, I have not received any complete Estimate from Bombay, but I have received several accounts more or less full, which I communicated to my right hon. Friend the Chancellor of the Exchequer. These accounts were carefully collated with the information which we had in this country; and it was upon the foundation of these accounts that my right hon. Friend gave his Answer a little time since with regard to the probable cost of the Expedition. I do not think the House would understand the accounts from Bombay; but in two or three weeks the Budget will, I hope, be brought forward, and by that time I trust we shall be able to give a tolerably accurate Estimate of the cost of the Expedition. It may interest the House, however, if I mention that Sir Robert Napier expected to be at Theodore's camp, which was about twenty-five miles from Magdala, by the end of March; and, as far as I can judge from the telegrams I have received from him, that expectation was likely to be fulfilled, so that we may expect by the time we re-assemble after the holidays, or within a few days afterwards, to hear the result of his coming into the immediate vicinity of Theodore. Probably by that time we shall know when the Expedition will begin to return; and, under these circumstances, I think it will be more convenient that we should delay any further communication regarding the Estimates until we are in a position, after the holidays, to speak with some confidence.

## CHOLERA IN THE MEDITERRANEAN. QUESTION.

Sir J. CLARKE JERVOISE said, he would beg to ask the Secretary of State for Foreign Affairs, Whether any steps were taken to prevent the outbreak of Cholera in the Mediterranean in 1867, in accordance with the Report of the British Cholera Commissioners, October, 1866, on the "Origin, Transmissibility, Incubation, Fomites, and Measures of Prevention" of Cholera; and, whether, in consideration of the life, liberty, and property of many of Her Majesty's subjects depending on the adoption of the conclusions arrived at by the Conference, a translation from French into English of the Report, "preceded by a Prologue," will be distributed?

Lord STANLEY said, in reply, that the regulation of British colonial ports was not conducted by the Foreign Office, and it was needless to add that the Government had no power over the acts of Foreign Powers; but he might state that a Sanitary Board had been established at Constantinople, having for its object to check the spread of cholera in the Mediterranean; and some regulations had been issued by that Board, respecting which he had replied to a Question by the hon. Baronet a few days since. Regarding the latter part of the Question, he doubted whether it would be worth while to do as was suggested.

## POOR LAW—GRAVESEND BOARD OF GUARDIANS.—QUESTION.

Mr. O'REILLY said, he rose to ask the Secretary to the Poor Law Board, Whether it is a fact that the Chairman of the Gravesend and Milton Board of Guardians objected to the appointment as porter of a person, otherwise well qualified, on the ground that he was a Roman Catholic; whether such objection caused his rejection; and, whether he will have any objection to lay any Correspondence on the subject upon the table of the House?

Sir MICHAEL HICKS-BEACH said, in reply, that communications had been received by the Poor Law Board from Mr. Sullivan, a Roman Catholic priest of Gravesend, and two others of the same parish, respecting the subject referred to. The Gravesend guardians, having advertised for a porter, selected two applicants from those who responded; only one, however, attended, and he was a Roman Catholic, named Duggan. The guardians, therefore, postponed the election. The hon. Member was quite right in supposing that the only apparent reason for Duggan's rejection was his religion; but it should be stated that the resolution was unanimous on the part of the guardians. It was, perhaps, needless to add that the regulations of the Poor Law Board contained nothing to prevent the election of a Roman Catholic as a porter to a workhouse;

but guardians were perfectly free—and the Board had no power to compel them to elect any particular man. The Papers on the subject consisted merely of the Correspondence between Mr. Sullivan and those who acted with him and the Board; and, as he conceived it would not serve the public to lay it on the table, he proposed to communicate with the hon. Member on the subject in private if he desired to do so.

### RULE OF THE ROAD AT SEA.

#### QUESTION.

**Mr. HOLLAND** said, he wished to ask the Vice President of the Board of Trade, When the Papers which were laid upon the table of the House in December (having reference to the steering and sailing rules), together with the set of diagrams, explaining the "Rule of the Road at Sea" under every circumstance, will be printed and issued?

**Mr. STEPHEN CAVE** said, in reply, that the Papers referred to by the hon. Member had long been ready, and might have been distributed some time ago; but it had been thought prudent to delay issuing them in consequence of some important Correspondence with the French Government on the subject, which would render the information more complete. As soon as this additional matter was ready —which he hoped would be at no distant date—no time should be lost in placing the whole in the hands of Members.

### INSURRECTION IN CRETE.

#### QUESTION.

**Mr. KENNEDY** said, he would beg to ask the Secretary of State for Foreign Affairs, Whether cruelties are enacted in Crete at present, such as took place while the insurrection was raging in full force; whether tranquillity may be considered to be now re-established; and if, not, whether the British Government exercise any influence in favour of the Christian population?

**Lord STANLEY**: Sir, it is not very easy to obtain accurate and trustworthy information with reference to what is passing in Crete; but I think I may say that many of the stories of the outrages and acts of cruelty which have appeared in the newspapers have been, if not wholly invented, yet very much exaggerated and over-coloured. Generally, I take the state of things in Crete to be this:—The insurrection has dwindled down to very small proportions; but it would be premature to say that tranquillity has been altogether re-established. With regard to the latter part of the Question of the hon. Member, I may say that Her Majesty's Government, have from the first exercised their influence in favour of the Christian population—in favour of giving them a large measure of self-government, and of establishing equality before the Law between the Christian and Mahommedan population.

### BOUNDARY BILL.—QUESTION.

**Mr. WATKIN** said, he would beg to ask, Whether the Boundary Bill will be printed and circulated before the adjournment of the House?

**Mr. GATHORNE HARDY**, in reply, said, he believed the Bill would be almost immediately printed and circulated.

### ELECTRIC TELEGRAPHS BILL.

#### QUESTION.

**Mr. AYRTON** said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he will lay on the Table any Correspondence, with respect to the purchase of the Electric Telegraphs, which has taken place between the Government and the several Companies?

**The CHANCELLOR of the EXCHEQUER** stated, in reply, that Papers relating to the communications between the Government and the Electric Telegraph Companies in reference to the proposed purchase of the Electric Telegraphs by the Government would be laid upon the table before the Bill was proceeded with, and the second reading of the Bill would be deferred for a sufficient period to allow the House time to consider it.

### ESTABLISHED CHURCH (IRELAND)—THE APPROACHING DIVISION.

#### QUESTION.

**Mr. YORKE** desired some information from the Foreign Secretary touching the issue to be submitted to the House, he believed, before its adjournment. In common, he presumed, with other supporters of the Government, he had that morning received through the usual channel a request to attend in his place; but the request was accompanied by a printed paper which he believed he might read without committing a breach of confidence, as it had been already published. It ran as follows:—

> "That there may be no misunderstanding, it is greatly desired that Members will bear in mind that the *first* division will be taken *not* on Lord Stanley's Amendment, but directly either to affirm or negative Mr. Gladstone's Motion to go into Committee."

That document had puzzled him (Mr. Yorke) a great deal. His first impression was that the noble Lord the Foreign Secretary had withdrawn his Amendment; but on looking at the Orders of the Day he found the Question to be debated set forth in the following terms:—

> "Motion made, and Question proposed, 'That this House will immediately resolve itself into a a Committee to consider the said Acts':—(*Mr. Gladstone.*)—Amendment proposed, to leave out from the word 'House' to the end of the Question, in order to add the words 'while admitting that considerable modifications in the temporalities of the United Church in Ireland may, after the pending inquiry, appear to be expedient, is of opinion that any proposition tending to the disestablishment or disendowment of that Church ought to be reserved for the decision of a new Parliament'—(*Lord Stanley*), instead thereof:—Question proposed, 'That the words proposed to be left out stand part of the Question.'"

It was obvious that if the Question, "That the words proposed to be left out stand part of the Question," were decided in the affirmative, the noble Lord would be precluded from putting his Amendment; and therefore it might be true in the letter, that the noble Lord's Amendment was not involved in the Question to be submitted to the House, but virtually his Amendment was precluded from being submitted to the House in case the Question first submitted was decided in the affirmative. If it were decided in the negative, then the Amendment would be put; but he did not see in what sense it could be said that the division would be taken on the Main Question, when, if it were decided in the affirmative, the noble Lord's Amendment would be precluded from being put. He therefore begged to ask the noble Lord whether it was his intention to withdraw the Amendment; and, if not, in what sense the House was to understand the Notice that had been circulated among the Government supporters that morning.

Lord STANLEY: Sir, in answer to the Question of my hon. Friend, I may say it is not my intention to withdraw the Amendment which I have moved, nor will any change or modification whatever be made in the course of our proceedings as arranged at the commencement of this debate. I am not the author of the document to which my hon. Friend refers; but I apprehend it is simply intended as an explanation of the manner in which, according to the forms of the House, supposing we divide, the division will be taken.

Viscount CRANBORNE: Sir, the Answer given by the noble Lord to the Question just put has, I think, a very material bearing upon the proceedings of the House, and raises difficulties which I should like to apply to you, Sir (Mr. Speaker), authoritatively to solve. I desire then to ask you whether the first division, if it be taken on the Question, "That the words proposed to be left out stand part of the Question," is to be considered as a division on the Main Question, "That the House do now resolve itself into a Committee;" because if it be so, of course those who vote with the right hon. Gentleman are voting in the sense of his Resolution; and if it be not so, those who do not vote with the Government abstain from voting for the Amendment of the noble Lord. I desire, therefore, to know from you, Sir, the precise purport of the Question which you are to put from the Chair.

Mr. SPEAKER: The Original Motion before the House is, "That the House resolve itself into Committee." To that an Amendment had been proposed, and the House has, up to this time, been mainly engaged on the Amendment. If the House should affirm "That the words proposed to be left out stand part of the Question." that will be decisive of the Amendment, and then will come the Main Question, which will stand disembarrassed from all other words.

## ESTABLISHED CHURCH (IRELAND)—THE MAYNOOTH GRANT.—QUESTION.

Mr. WHALLEY said, he wished to put to the right hon. Gentleman the Member for South Lancashire a Question, which he had reason to believe would be answered satisfactorily by him—that was to say, in the sense in which he was understood to have spoken when introducing his Resolutions. His reason for putting it was that it related to a matter in which the public took very considerable interest. The Question which he wished to put to the right hon. Gentleman was this, Whether, in the event of the Resolutions moved by him being carried, he would include in any Bill which might be introduced by himself, in pursuance of those Resolutions, provisions for the repeal of the Maynooth Grant; or whether, in the event of Bills to carry out those Resolutions emanating from other quarters, he would himself propose or support proposals by others, having for their object the withdrawal of the Maynooth Grant and of all other endowments in Ireland?

MR. GLADSTONE: I think, Sir, if I might ask the indulgence of my hon. Friend, it perhaps would be more convenient and more in accordance with the usage of debate if I were to offer in any remarks I may have to make on the Amendment of the noble Lord to-morrow night what would substantially serve as a reply to him. I would only say, as I know he is quite right in his statement that a great interest is felt on the subject—that I thought I had in my opening speech answered what I take to be the most important part of the hon. Member's Question, by saying that in my opinion—for I can say no more than that it was my opinion—any plan such as I had been endeavouring to lay the basis and foundation of must include provisions, whether immediate or not, for the entire relief of the Consolidated Fund from all charges, either for the Maynooth Grant or any other purposes of religion in Ireland.

## ESTABLISHED CHURCH (IRELAND).

### MOTION FOR COMMITTEE.

### ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [30th March],

"That this House will immediately resolve itself into a Committee to consider the said Acts,"—(*Mr. Gladstone;*)

And which Amendment was,

To leave out from the word "House" to the end of the Question, in order to add the words "while admitting that considerable modifications in the temporalities of the United Church in Ireland may, after the pending inquiry, appear to be expedient, is of opinion that any proposition tending to the disestablishment or disendowment of that Church ought to be reserved for the decision of a new Parliament,"—(*Lord Stanley,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

MR. ROEBUCK: Sir, As I hold very definite and what are called in the cant phrase of the day "advanced" opinions on this subject, I shall be very plain and explicit in my statement of them. From the time that I entered political life I may say I have held steadfastly one opinion about Established Churches—I have always believed that they are a mischief; and therefore, Sir, impelled by no personal object, whether of power or profit—impelled neither by party considerations nor yet by any purposes of ambition—I shall vote for the right hon. Gentleman's Resolutions. I believe that a Church Establishment is a bad instrument for teaching religion. A Government when it undertakes to teach religion must, of necessity, undertake to teach some particular religion, and by so doing must necessarily give offence to a great number of persons in respect to subjects which they believe to be of the greatest possible importance. Moreover, I believe that Churchmen, and especially Church dignitaries are very unfit to be legislators; and therefore I should be very much pleased to see any departure from the House of Lords of any Church dignitaries. These being my opinions on the Main Question before us, I still wish to address to the House some considerations upon the manner and the arguments by which these propositions have been supported on the present occasion, and also, I may say, of the aim and intentions with which this proposition has been brought forward. One argument advanced in support of this Resolution has been that the present Established Church of Ireland is a badge of conquest as regards the Catholic population of Ireland. Now, this is a proposition that I utterly and entirely deny. The conquest of Ireland—the Norman Conquest of Ireland—was made when England and Ireland were Catholic, and if there be any badge of conquest resulting from the transactions of that time, it is the Catholic Papal Church of Ireland; for, as the right hon. Gentleman himself said, at the time of this conquest Ireland was not in connection with the Papacy, and therefore the Norman conquest, which led to that connection, established as a badge of conquest the Papal Church in Ireland. And, accordingly, I say it is misleading the people of Ireland for us to allege that the present Established Church of Ireland is a badge of conquest. No man would be more ready, and has been more ready, than I to state my utter abhorrence of the mode in which England has governed Ireland. No man has been more ready to find fault with those terrible penal laws, which were the curse of Ireland and the disgrace of this country. But those laws have been repealed, and now there remains no possible grievance in Ireland except that Established Church which, is now complained of. Since the year 1829 this House has pursued one steady course of legislation with regard to Ireland. Day by day, year by year, we have erased from the statute book one enactment after another, which drew a line of distinction between the Irish people and the people of England. And now, at this present moment—I challenge contradiction of the statement—there is no difference between the situation of an Irish Catholic and an Englishman in England before the law. Well, then, if we have done that, have we not done much that ought to have conciliated the people? But we are told that we have done nothing until we have disestablished the Irish Church. Now, Sir, the quarrel between England and Ireland is not a quarrel of religion; it is a quarrel of race; it is a quarrel of conquest. [*"Laughter."*] Aye, of conquest. We have no quarrel with Scotland, because we did not conquer Scotland. We have even now a quarrel with Wales—as everybody knows who knows anything of the country—because in the days of Edward I. we conquered Wales. It is one of the most curious phenomena of man's nature that a circumstance like that should rest in the recollections of a people; but it does, and the Irish people will not, to the latest hour of their existence, forget that they were conquered in the reign of Henry II. Now, that may appear to be a paradox; but search the history of the world over, and you will find it to be true. But we are told, and we were boldly told by an hon. Member behind me, that, disendow the Irish Church, arrange the land question as you will—even in the fashion which the Irish people want it—still you will not have done that which the Irish people demand, and without which they will not be satisfied. What do they want? They want separation from England. We may hide it as much as we please from ourselves, but the fact remains, that until you have separated Ireland from England, and made her independent, you will not have satisfied the wishes, the intentions, or the projects of a great portion of the people of Ireland. So much, then, as to the statement that the Irish Church is a badge of conquest. Now, next, as to the Irish Church being a tax upon the people of Ireland. Let us understand that matter clearly. We are told that the tithes belong to the Irish Papal Church. My answer is—a very small portion of them only. And, moreover, I claim for this Parliament the power of changing the appropriation of public property, and devoting it to whatever purpose it pleases; and if this Parliament decides to disendow the Irish Church, it has perfect power to do so, and all the talk about the sacredness of her property is to me utter nonsense and rubbish. But, Sir, this cuts both ways. Do not talk to me of the Church property belonging to the Irish Roman Catholic Church, because I assume at once that Parliament has power to divert the public property. It has diverted the Church property, and so far it has gone to the Irish Church. There is no sacred right—none of any sort connected with human affairs. What to-day is law, may be to-morrow repealed; and there is nothing this House has established which to-morrow it may not disestablish. Now, let us understand this doctrine of tithe, because it was one of the statements made by the right hon. Gentleman the Member for South Lancashire that the Irish people maintained a Church to which they are opposed. I deny that entirely. They do not do any such thing. The Irish farmer when he takes a farm takes it subject to tithe; he therefore takes it at so much less rent, and he does not pay the tithe. The landlord when he buys an estate buys it charged with tithe; he buys it at so much less, and therefore he does not buy the tithe. It does not belong to him. To whom does it belong? It belongs to the State, which may apply the tithe as it will. Therefore, the real question at issue is this—Is the property now held by the Irish Church so employed that it may be said to be employed in the best way for the Irish people? I think I am putting the case in the fairest way possible. Well, I do not think it is, Sir; but, at the same time, I think much may be said in its favour for the way it is applied, and that is not taken into consideration by those who speak and talk on the subject. First, I think I have established that neither the farmer nor the landlord pay the tithe. Therefore, it is no tax upon the people of Ireland. Now comes the question as to its application. This first step in the application of tithe is a thing that requires consideration. As it is now applied, it places in every parish of Ireland an educated gentleman and his family. That, I say, is a matter of the greatest possible importance to any country; but more especially to Ireland. That is the first application of the funds of the Irish Church at present. Now, I am perfectly willing to say that far too much of the proceeds of the Irish Church are applied to the dignitaries of that Church, and that I should like the hard-working clergy of the Irish Church to be far better paid than they are. But still I return again to the view that there are an educated gentleman and his family in every parish in Ireland; and I ask any Gentleman connected with that country, or at all acquainted with it, whether the greatest possible benefit does not follow from that fact? I am quite sure I am speaking the truth when I say that if, in any locality or parish, there are a few resident gentlemen, among the most esteemed and respected of them is the clergyman of the Established Church. Further, I believe that the greater number of these men spend more money than they ever receive from the Church while they live in the parish in which they serve. Therefore, I say to right hon. Gentlemen on the front Opposition Bench, is this the moment at which you propose to disendow the Irish Church at one blow? You ought at least to recollect the fatal effect it will have in taking from every parish in Ireland one man who is bound to be resident there throughout the whole course of his life. So much for that; but there is yet another thing which you should take into consideration. Now, I think it is unwise to hide from ourselves the actual state of the case as regards the mind of the people of Ireland. If you were to poll the people of Ireland to-morrow, the large majority would be found hostile to English connection; but there is a body to be found in Ireland who are heart and soul in connection with England. They are loyal—they are enthusiastically loyal. Who are they? Why, they are the Irish Protestants. The Irish Church with them is a matter of strong feeling—they love their Church; and they believe their Church does them good, in which I think they are mistaken. But they believe it; and you are about to run counter to that strong feeling of the Irish Protestant people when you take away from them that Church which they hold in such great veneration. I do not hold that feeling which I have just expressed with regard to the Protestant Church in particular. I tell the Roman Catholics that I feel exactly the same with regard to their Church, and I do not think it at all a benefit to the population. Therefore, Sir, I am quite ready to disestablish and disendow any Established Church which I can lay my hands upon. But still, Sir, there are times for all things, and I want to know is this a time we should select for the disendowment of the Irish Church and making ourselves unpopular with that small portion of the Irish people who are really heart and soul with us? This is a consideration which a statesman should weigh well in his mind. I can imagine men so vivid, so vehement, so energetic in their course, and so desirous of personal aggrandizement, that they forget everything connected with the Irish Church. I can imagine such men; I do not pretend that I can see them—I can imagine them; but he is no statesman who at this time and in this peculiar contingency proposes to disendow the Irish Church. I have known many years when it might have been done. I advocated its being done in 1835; but the right hon. Gentleman (Mr. Gladstone) opposed it then as far as we went. The Resolutions of Lord John Russell were supported by myself and the great Radical party at that time; and we attained the end for which those Resolutions were proposed. We ousted the Tories from power, and no sooner was that happy consummation attained, than all the recollections of those Resolutions were forgotten, and we were left with our mouths open and our eyes staring to look at the sudden gyration of the great Whig party. That was not the only time at which we were so served. Sir Robert Peel came into power, and the last time he presided over the councils of this country he did great good for England. He did away with the Corn Laws; he improved trade, and established a financial state of things such as was never before known. But what was the immediate return made him by the Liberal party? They turned him headlong out of office, and upon what? Upon a proposal to protect life and property in Ireland, which proposal was supported by the right hon. and hon. Gentlemen who turned Sir Robert Peel out as soon as they themselves got in. Again, Sir, in the same way, when Lord Derby was in power in 1859, Resolutions on the subject of Reform were brought in by that eminent Reformer Lord John Russell, who, when he found that "finality" would not get the Whigs into office, turned Reformer. It was proposed to oust Lord Derby; and I took the liberty of saying that the persons whom the Liberal party were about to bring in would never carry a Reform Bill. I said that Lord Palmerston might propose, but never would carry a Reform Bill. Again, what happened? Lord Derby was ousted, and Reform slept as long as Lord Palmerston lived. Again the thing occurred in 1866, and the Tory party came again into power, and immense exertions and vehement attempts were made to turn them out; but luckily, Sir, there were more men of my opinion than there had been in 1859. We kept the Tories in and we got a Reform Bill. And now I want to say one word to the right hon. Gentleman the Member for South Lancashire. I hope the same trick is not to be repeated—for tricks I call the things I have been describing. I hope there will be no Motions of that kind; but that these Resolutions, which are bold in their utterance, will be as boldly carried out, and that if we are to oust the Gentlemen opposite, as I suppose we are, there will be no halting, no shuffling, no trickery, but that the thing will be done. I hope there will be no saying — "This is so difficult; we did not contemplate the thing before us; we have grown wise men by time and experience; we must let the thing drop; we are here, and will stay here." I hope nothing of that sort will happen; but that when we have carried these Resolutions—for they will be carried—I hope the right hon. Gentleman will steadily adhere to them, and by no apparent juggling, (pardon the phrase), twist or turn, evade the passing of these Resolutions. There are some things which are curious in them, with regard to addressing the Sovereign. As I am not an official person, I will not touch on that point, though I think it is one which might engage the attention of a legal official; but, if we carry these Resolutions, I hope the right hon. Gentleman is prepared with a Bill; and that these Resolutions have not been framed as a mere cast upon the waters to attain a particular end; but framed by persons who have carefully considered what they wish to attain, how it is to be attained, and means at their hands to attain it; and further, that when the right hon. Gentleman comes before the people of England with his Bill he will be prepared to stand or fall by his measure. I said at the commencement of my remarks that what I was about to say I would say plainly, and I think I have done so. There can, I imagine, be no misunderstanding as to what I have said, and, above all, I would ask hon. Gentlemen to believe that I have no desire to express anything disrespectful to the Catholics. Many of my dearest friends are Catholics, and I entertain so much respect for them that I hope nothing I may have said will be construed as disrespectful to anything they believe in or hold in reverence and respect. I cannot, however, help feeling that the Catholic population of Ireland is hostile to English and Imperial rule. I regard this question not as an Englishman, not as an Irishman, not as a Scotchman, but as an Imperial Englishman. I know not what other phrase to employ, for I detest the word "Briton." I use the phrase "Imperial Englishman" to signify a subject of this Imperial country, and we all must perceive, from the numerous indications around us, that no great Empire was ever brought together but by separate pieces. And we are told and taught, and must believe it, that at this time no small Empire can exist. The mere fact that there is such a steamship of war as the *Warrior*, costing £500,000 proves that no small country can maintain itself at this time without the aid and assistance of great nations around it. Cut off Ireland from England and you cut off her right arm. As long as I have a voice in this great Assembly that voice shall be raised in maintenance of the Imperial rule, whenever that rule is called in question. No sentimental talk about oppression to Ireland, and, indeed, nothing on earth, shall move me from that position. Whatever comes, our Imperial rule must be maintained, and, whatever disputes may occur, nothing ought to induce this House to do anything to dissever one portion of the kingdom from the other. And now, Sir, I would ask the right hon. Gentleman opposite and the right hon. Gentleman on this side of the House not to forget in their strife this Empire. Let not place, let not ambition so blind them as to induce them to rush headlong into courses which, in their quieter moments, they must know to be dangerous to our greatness. They have in their hands the destinies of this great Empire, and I implore them never to forget in the conduct of their warfare the comfort and the happiness of the people.

Mr. HENLEY: I can assure my right

hon. and gallant Friend (General Peel) (who had risen at the same time) that I shall not stand long between him and the House, and that I should not have done so at all if I had not heard the Speaker distinctly name me. The hon. and learned Gentleman who has just closed his address (Mr. Roebuck) has, I think, put this question on the very strongest grounds. He says he will do everything in his power to maintain the Union, and that as an Imperial Englishman, and looking at the matter from an Imperial point of view, he will do everything he can to prevent the right arm of England being cut off. Now, I agree with him in that, and I think it is not unfair to examine the proposal before us, in order to see how it bears upon that branch of the question. One of the Resolutions proposed by the right hon. Gentleman embodies a principle, and another a question of time. I shall briefly address myself to both these questions, and first of all I will take the question of time. The right hon. Gentleman who has brought this matter before the House has by his statement saved us much trouble. Some of us might have otherwise thought it was a Motion brought forward because certain parties were not in power. My opinion of the character of the right hon. Gentleman forbids my having any such opinion. It might, perhaps, have been thought that he had been impelled to take up this question by the amount of crime and distress in Ireland, or else by a general sense of justice to the nation. The latter supposition, however, I am obliged to put aside, because, if there had been any strong sense of that in the breast of the right hon. Gentleman, it is impossible that for twenty-five years he could have remained silent and quiescent under such circumstances. Then we come back to what I think the right hon. Gentleman himself said—namely, that he had been induced to bring this question forward because the Government of which he was a Member, and subsequently the present Government, had been obliged to repeal the Habeas Corpus Act on account of the Fenianism which existed. The right hon. Gentleman told us that steam had bridged the Atlantic, and that this fact caused Fenianism to assume a different shape from what it might have assumed under other circumstances. Being now carried to America, one is naturally led to ask what "platform" it was that the Fenians chose when they came to this country. I think their first and broad proposition was "Ireland for the Irish." The next was to get rid of all priests and parsons of every sort, creed, and description. At least, this was said of them, though whether truly or not I do not know. I suppose these great friends of liberty, the Fenians, considered all persons whose business it was to persuade them to do right, or dissuade them from doing wrong, were enemies of the human race. In the next place, the landlords were to have their throats cut as a simple way of getting rid of the land difficulty. Now, all these were very plain and simple questions, and they were straightforward also; because if a man says he will cut my throat, while I have an opportunity of cutting his, we can square the matter, and there is an end of it. With regard to the land question we have the proposal of the hon. Member for Westminster (Mr. Stuart Mill) and that of the hon. Member for Birmingham (Mr. Bright). Both these hon. Gentlemen proceed by somewhat violent modes—one of which may perhaps be designated as rape, and the other by the gentler phrase of seduction. But the right hon. Gentleman, the Member for South Lancashire says, "Do not trouble your heads about either of these methods; but endeavour, with me, to do away with the Irish Church, after which you will have the land at your disposal, and you can try your experiments in that direction." Now, it seems to me that in the course of the debate the right hon. Gentleman has almost earned for himself the name of a "compound Fenian," for, by the way in which he blends the violent and the gentle together and proposes a scheme of spoliation on which they can work their wicked will, he seems to be a joint actor in favour of the Fenian movement. ["Oh! oh!"] The Fenian movement is to dissolve the Union. "Ireland for the Irish" means nothing less than that. You may turn the phrase about as you like, but that is what it means. Now, is the matter which we have now in hand likely to strengthen, or is it likely to weaken, our power of opposing the Fenian movement? That is the point which we must look at and decide. Did the party which sought for a dissolution of the Union twenty years ago, when the battle of the cabbage-garden was fought, ask to have the Church disestablished? I do not think you can find that it was, and if it were not, and if you are not going to conciliate the party which now wants to dissolve the

Union, by doing away with the Irish Church, why should you thereby offend that section of the Irish people on whom you have been almost always obliged to rely in times of trial, difficulty and danger whether in Ireland or elsewhere, and who have always stood firmly by our institutions? What will be the feelings of these people if you wantonly offer a great affront to them and do them a great and permanent injury? The right hon. Gentleman has told us in his most beautiful language something about the nature of this Establishment. He said something about the piety of those who had gone before, in setting apart a portion of their property for the maintenance of those who were to come after them, and for the promotion of their best and greatest interests. That was the substance of what he said. But the right hon. Gentleman described one side of the subject as being ethereal and the other as being earthy. I confess that whether it be ethereal or earthy, or a compound of both, I think that those who in years gone by—more years than I could enumerate—set aside in all Christian countries this portion of property for religious purposes did a great good. I do not want to say anything now upon the origin of this appropriation. I believe that may be disputed. But I know that for a long series of years this property has been so set aside, and that it has been confirmed by a long series of enactments in its present channel. But this I must say, that every word that was uttered by the right hon. Member for South Lancashire, every word that fell from the hon. Member for Birmingham (Mr. Bright), and every word that fell from the hon. and learned Member for Sheffield (Mr. Roebuck) against the Establishment of the Irish Church—every word so uttered goes against all Establishments. The hon. and learned Gentleman who has just spoken said he was not disinclined to disestablish anything anywhere. This confirms my opinion that it is not merely a question of disestablishing the Irish Church, but a question which strikes at the root of all Establishments. The hon. Member (Mr. Bright) drew a vivid picture of what was going on in various parts of the world, endeavouring to show—quoting, I think, Lord Aberdeen—that the Establishment in Scotland was an injury to that country. I think we may couple the expression of the right hon. Gentleman three years ago—that the possibility of acting on this subject was a "remote" one—with the statement of the hon. Member (Mr. Bright) that he would be a rash prophet who said anything as to the time the English Church would last as an Establishment. [Mr. BRIGHT: If that was agreed.] If three years ago was a remote period with regard to the Irish Church, how long will it be before the time of the English Church comes, provided you once enter upon this course? The right hon. Gentleman (Mr. Goschen) said the Irish Church was only a Parliament Church. But what security have you for anything except Acts of Parment? What security have you for the Funds? It rests on the national faith; and can anything be more strongly pledged than our national faith was at the time of the Union with Ireland? It is impossible that we can have anything more strong. And is that all? What happened in the Act of Union with Scotland? There again you recited the fact of the maintenance of the Established Church. I say, if the Irish Church is a Parliamentary Church, so is the English, so is the Scotch Church. You can draw no difference between them. It is the principle of endowments you are attacking. You say that the Irish Church is small in numbers. I do not know whether the figures of the right hon. Gentleman are accurate; but he was not able to show a material difference between the relative numbers of Protestants and Catholics in Ireland now and at the time of the Union. On this ground, then, how would it be just to alter now that which it was just to stipulate for in a solemn treaty then? There is another point to be borne in mind. Will anything that we can do on this subject have a chance of pacifying Ireland? From what section of her people have you had any such assurance? Well, fi it is not certain you will do that, why attempt to do what will be a great wrong, and break a solemn treaty, pledging the good faith even of your Sovereign to the maintenance of the Establishment? It seems to me that you are going to ask us to do this great wrong wantonly, and without any security for the future. I feel strongly upon this matter. The right hon. Gentleman said he sympathized with those who had a strong feeling for the Establishment. I am one of those. I feel that the Establishment is a great benefit and blessing to the country, and therefore I have a strong feeling in its favour. I wish I had the right hon. Gentleman's vote instead of his sympathy. For twenty-five years he has been carrying the Irish Church in his belly; yet now he comes forward on a sudden to cast her off and destroy her. Now, many a man in this House, who is a loyal subject of the Queen, might say, "Abstractedly I do not defend monarchy upon principle." I do not know whether there is any such individual; but I can conceive that there may be; and so with regard to the Irish Church Establishment. At all events, I defend the Establishment upon principle, believing it to be the duty of the State to set apart funds for the maintenance of that which the governing Power in the State believes to be the truth, and to support the truth and see that it is taught to the people. I think the question presses in another way. The hon. and learned Gentleman (Mr. Roebuck), says this country is strong. I admit that power and right are two different things; but we should remember that we are now called upon to exercise that power in breaking a treaty made for the benefit of the weak. You made this treaty; you took away from those with whom you made it the power of exercising a voice, except in a very limited and inefficacious degree; and, recollecting this, I say it would be unjust and ungenerous to do what you are about to do. Believing, Sir, that, unconsciously it may be, you are playing into the hands of those who want to dissolve the Union between this country and Ireland, I can only say that if I were to vote for this measure, I should feel that I was a traitor to my Sovereign, my country, and my God.

General PEEL: The vote which I shall give upon the present occasion will be governed entirely by the opinion I have formed upon the effect of the Resolutions of the right hon. Gentleman upon the Constitution of this country. It will have no reference to that other issue which may govern the votes of many Gentlemen opposite—namely, whether the right hon. Member for South Lancashire or the right hon. Member for Bucks shall sit upon the Treasury Bench; but I cannot help expressing my regret that the right hon. Gentleman (Mr. Gladstone) should have thought it necessary to make the destruction of the Protestant Church in Ireland the war-cry by which, I will not say to rally "the rabble" around him—for, notwithstanding the high authority of the right hon. Gentleman (Mr. Bouverie), I do not think that is a respectful way of speaking of hon. Gentlemen opposite—but in order to induce those "followers who will not follow" to follow him into the Lobby, and that he should not only make the destruction of the Protestant Church in Ireland that war-cry, but should do so upon such scant notice as would hardly be decent or respectful in the case of a Railway or a Turnpike Bill, and should ask this House by an abstract Resolution to do two or three such little things as repeal an important Article of the Union and the Coronation Oath, and destroy the Established Church of Ireland. Now, what are the grounds on which the House is asked to go into Committee to express an opinion that the Established Church of Ireland should cease as an Establishment? I wish to argue the matter fairly, and to consider the ground put forward by the highest Roman Catholic authority (Cardinal Cullen), who says in a letter—"It is now admitted that the Established Church is an injustice and an insult to the people." Sir, in considering whether it is an injustice, I put aside altogether, as the hon. and learned Member for Sheffield did, the assertion which is often made by some—that it is a great act of injustice that Roman Catholics should be called on by the payment of tithe to contribute to the support of a religion to which they do not belong. I think the answer to that was put so well in the pamphlet of Sir George Lewis, from which we have all seen copious extracts lately, that I need not dwell upon it. He says, in point of fact, that the Catholics pay nothing—that tithe in Ireland is not in the nature of a tax, but is a reserved rent that never belonged either to the landlords or tenants. If that be so, I cannot see the injustice of calling on the Catholics to pay that which never belonged to them. As to the title of the Protestant Church to the endowments which it possesses, I rely entirely on the highest legal authority in this country—the Lord Chancellor. He proved in his speech on the 24th of June last the perfect validity of that title. I will not repeat the quotations he made from the speeches of Lord Plunket, Lord Macaulay, and other friends of the Catholics, who all admitted that there was no title equal to that of prescription, and which was just as valid for Church property as any other kind of property. I have never heard that questioned, except by Dr. Moriarty, who, I believe, is a Roman Catholic Bishop. He says—

> "The Catholics acknowledge no prescription

in this case. There is no Statute of Limitations here. The right is in abeyance, but unimpaired."

Now, I am no lawyer; but I can conceive no right being "in abeyance and unimpaired" on the part of those who have admitted the title of those who are in possession, and that they did so the Secretary of State for the Home Department proved the other night, for he quoted their Bishops to that effect. I am one of the few Members of this House who took part in the debates of 1829; and I must take leave to draw attention to the contrast that exists between the Resolution which was passed in the Committee on which the Bill then brought forward was founded and the Resolutions about to be submitted to the House. The Resolution passed in Committee on the 6th of March, 1829, was this—

> "That it is expedient to provide for the repeal of the Laws which impose civil disabilities upon the Roman Catholic subjects of His Majesty, with such exceptions, and under such Regulations, as may be required for the full and permanent security of the Establishments in Church and State, for the maintenance of the Reformed Religion, established by Law, and of the rights and privileges of the Bishops and of the Clergy of this Realm, and of the Churches committed to their charge."—[2 *Hansard*, xx. 892.]

I venture to say that without that Resolution there would not have been ten men who would have voted for the Bill. The right hon. Gentleman the Member for South Lancashire says that Catholic Emancipation was extracted from us through fear of the Catholic Association. That, at all events, did not decide my vote. I said at the time "That I believed the very worst kind of legislation was that which submitted the law to a power which was opposed to the law;" and therefore I voted in the minority, and from that moment I have never seen any reason to regret my doing so. On the contrary, subsequent events have proved that the opinion I then expressed was founded in truth. I may be told that the admission of Roman Catholics to this House might be expected to lead, as a necessary consequence, to such a measure as this. That was the view I took, and I so stated it at the time. I have no objection to Roman Catholics as individuals—I have no objection to them as a body—nay, I stated that I had no objection to the Roman Catholic religion so long as it did not interfere with the Protestant Church. I never joined in the cry of "No Popery." On the contrary I look with the greatest possible respect on the Roman Catholics—with far greater respect than upon those half Roman Catholics and half Protestants whose service, if not contrary to law, is certainly contrary to the spirit of our religion. And though I would not write up "No Popery" on the outside of our churches, I would wish to see it inscribed on the inside. I can assure the Roman Catholics that if any endowment or any property of theirs was attacked I would object as strongly against any spoliation of it, as I would against the spoliation of the property of the Protestants. I wish to see justice done. Hon. Gentlemen opposite said, "Justice was refused to Ireland." My opinion of justice to Ireland is, that we ought to pay the same respect to the rights of property in Ireland—whether the property is that of the Church, of a corporation, or of an individual—as to the like rights in England. I, for one, will never consent to pass a law for Ireland the principle of which will not apply to to this country. And if I wished to give any proof of my anxiety to do them justice, I would remind them that after many years of Liberal Government it was left to me to do justice to the Roman Catholic chaplains in the army, by placing them on the same footing as the Protestant and Presbyterian chaplains. I was for levelling up, not for levelling down. I was quite certain that the securities offered at the passing of the Emancipation Act would be swept away, and ever since I have had a perfect horror of securities. I said on that occasion that the Roman Catholics never would be satisfied until they had the property of the Irish Protestant Church. I was replied to on that occasion by a Member for whom I had the greatest respect—Sir Francis Burdett, then Member for Westminster, who, I have every reason to believe, spoke the sentiments of that constituency. That long-tried friend of the Roman Catholics said, in reply to what I had stated—

> "The hon. Member who had spoken last had fallen into the strange notion, which had been lately brought into notice, that nothing less than the subversion of the Established Church could content the Catholics. Such an idea was so injurious to the persons to whom it attached, and so utterly out of their contemplation—an idea which he trusted none of them dreamed of—that it was creating feelings in their minds which they never thought of, to suggest this objection."—[2 *Hansard*, xx. 876.]

But perhaps it may be said the hon. Baronet did not represent the feelings of the Roman Catholics. I will, then, give you what was said by the representative of a Catholic constituency (Limerick) in reply to Mr. Daniel Whittle Harvey, then Member for Colchester, who had stated that the ground on which he supported the measure for the relief of the Roman Catholics was that it would lead to a combination between the Catholics and Dissenters for the purpose of making a joint attack upon the Establishment of the Protestant Church. And now you shall hear what the calm man of Limerick of those days said. Mr. Spring-Rice said—

> "If this measure were likely to endanger the Protestant Church, or at all to trench upon its constitution, then he should think Catholic Emancipation a measure attended with danger."—[2 *Hansard*, xx. 812.]

He concluded by saying—

> "If the question were to go to a division on the grounds stated by the hon. Member for Colchester, there was not a friend to the Catholics on the Opposition side of the House, and, he hoped, not a friend to the Established Church on either side, who would not unhesitatingly refuse his support to it."—[*Ibid.* 813.]

Well, then, the Catholics accepted the relief on the terms it was offered to them — on the Resolution providing security for the Protestant Church. But then I am told that times have changed since then, and no doubt I shall be accused of belonging to that party which the present hon. Member for Westminster (Mr. Stuart Mill) called "stupid," who never keep pace with the times. Well, the times have changed; but that is exactly what I predicted, and surely it is no proof of stupidity in foreseeing what has occurred; at all events, I was wiser than the hon. Member for Westminster of those days, who said it never would occur. But the times are now going at such a rapid pace, and that not only without any control, but with a rivalry on the part of the Leaders, on both sides, who shall outstrip the times, bringing us so suddenly to such dangerous and unheard-of changes, that if any sensation novelist could have ventured to anticipate them, they would have appeared incredible. I will not venture to predict what they will not do; but this I will say—if these Resolutions be carried, the inevitable result will be the separation of the Church from the State in this country, and the repeal of the Union with Ireland. We are told that there are great masses of the Irish people dissatisfied with the Government; do you think you are going to purchase their affection by adopting these Resolutions? I am going to leave the use of flattering words to others, and to say that which I believe to be true. You ask me what I believe to be the cause of the dissatisfaction which exists among the Irish people? and my reply is—It is the result of what you yourselves have done — it is the result of the sympathy you have shown for revolution elsewhere — to the moral support, as it is called, you have given to popular movements on the Continent. Have we not heard some of those, who ought to have the greatest sense of the responsibility resting upon them, say that the majority of a nation is entitled to decide upon whatever form of Government it thinks the best? And, if that be true, no doubt the Roman Catholics in Ireland are entitled to the benefit of the argument. I have said that I have never joined in the cry of "No Popery!" I never had the least sympathy with Orangemen or Orange Lodges, as long as there was no attack made upon their religion — as long as their demonstrations could only be considered as offensive to their Roman Catholic fellow-subjects — and as long as they were acting on the offensive, instead of on the defensive. But I regard their assembling now, in order to protect their religion, as the proper discharge of their duty as members of the Irish Protestant Church, and as affording an example which Churchmen in this country would do well to follow. Members of the Established Church, in all parts of the country, should endeavour, by petitioning and by every constitutional means in their power, to put a stop to the progress of these ideas. It has been stated that this question can only be decided by a new Parliament, to be returned by the new constituencies. Now, I have always objected to the practice of constituencies extracting pledges from candidates with reference to the course they would pursue upon a particular political question on which their opinions might be altered by argument. But this question of the Irish Church is one of principle—it is a question of the Constitution of the country, of the Throne, and of the State; and I should advise every Protestant elector in both countries not only to extract from his candidate a statement as to his present feeling upon the subject, but also a pledge that he is not to be "educated" so as to change them. I have lately been invited to join a new party, who, I think, call themselves Constitutionalists, who profess to stand by the principles laid down in the now famous letter of the right hon. Gentleman the First Lord of the Treasury, addressed to Lord Dartmouth. And by the principles enunciated in that letter I hope that the writer will strictly abide. But, Sir, when I ran my eye over the list of the vice presidents and members of the association which I was invited to join, I found that it consisted of only my old friends the Conservatives under a new name. Now, I do not like changing names. I am always suspicious of persons having a great many aliases. When I found that my friends the Constitutionalists were the very people who, in my opinion, destroyed the Constitution last year, I had no wish to enrol myself among them. No, Sir, if I am obliged to go back and change my name, I would much rather go back to that under which I was brought up—that of the good old Tories. They, I believe, were the best Constitutionalists, and the best supporters of our Constitution, both as regards Church and State. I was not in the least surprised at the warmth and energy with which my noble Friend near me (Viscount Cranborne) opposed the Amendment brought forward by the Government as explained by the speech of the noble Lord who moved it. It is difficult, if not impossible, to know what that Amendment means. It might mean nothing; it might mean anything; or it might mean everything. The way I read it was this:—That the Cabinet was not yet entirely converted; that the party behind them was not sufficiently educated; and that the proposal of the Government, as explained by the noble Lord, was this: "Go thy way this time; when I have a more convenient season I will call for you;" and that the destruction of the Irish Church might prove hereafter to be one of those Conservative triumphs which the right hon. Gentleman the First Lord of the Treasury promised the party. But I was quite relieved from that impression by the speech of the right hon. Gentleman the Home Secretary. As long as that right hon. Gentleman sits upon that Bench which he adorns—and I hope that he will continue to sit there for a very long time—I shall feel perfectly safe, because I know that no Government of which he is a Member could propose the disestablishment of the Irish Church. It is suggested that the issue of this debate may be to bring in a Liberal Government; but I say to the Protestants of the Established Church, "By no means give way to despair; be strong and of good courage, and be not dismayed; you have the examples before you of 1835 and of 1859." The Liberal party have been referred to as the "engineers" and "pioneers" who clear the road; but I rather look upon them as guide-posts which point out the road—and a very bad road it often is—but who never advance one inch themselves. It may be said that I am about to raise the old cry of "No surrender," and as far as the connection between Protestant Church and State in Ireland is concerned I join most heartily in that cry. Upon the subject of the "modification of the temporalities,"—whatever that phrase may mean—I do not believe that there is one man in a hundred who would not be inclined to do away with the anomalies mentioned by the right hon. Gentleman the Member for South Lancashire. But I think it will be quite time enough to decide that point when we see the Report of the Royal Commission now sitting to inquire into the subject. We can easily decide what shall be done with any surplus revenue not required by the Irish Church when we have ascertained what that surplus is. I am guided on this point by the opinion of Sir Robert Peel. In the course of the debate upon the Appropriation Act of 1835 the then hon. Member for Derbyshire quoted from Captain Macheath, whereupon Sir Robert Peel turned round and said, "He was a much cleverer man than you are, for he never appropriated his surplus until he ascertained that he had got it." I am content to act upon that principle, and to wait until I hear the Report of the Royal Commission. Meanwhile, I shall meet both the proposal of the right hon. Gentleman opposite and the Amendment of the noble Lord with a direct negative.

Mr. LOWE: I have listened to the speech of the hon. and learned Member for Sheffield (Mr. Roebuck) with great pleasure, for two reasons: first, because he promised us his vote; and, next, because I derived additional conviction of the strength of our case from finding that his feelings in our favour are so deeply rooted that he is about to give us that vote in despite of every argument that he used against us. I will not occupy the time of the House in commenting upon the speech of the hon. and learned Member, because he entirely answered himself, and sometimes even went so far as to answer his own answer. I wish to draw the attention of the House rather more directly than has been done by recent speeches to the subject before us. If we take the Census of 1861 as our guide, we shall find that every 100 average Irishmen are divided in this manner—seventy-eight will be Roman Catholics, who have no assistance at all towards the support of their religion; twelve will be members of the Irish Church, as it is called, who receive State assistance towards the support of their religion; nine will be Presbyterians, who receive an endowment or bribe, in order to induce them to acquiesce in the existence of the State Church; and 1 per cent will consist of waifs and strays made up of other and minor sects. There is a simple eloquence about these figures which goes to my heart when I mention them, and the most elaborate argument can scarcely add to their force. They do not, however, by any means state the whole case against the Irish Church. The 12 per cent who belong to the Established Church are, upon the whole, the richest part of the Irish community, and are therefore the best able to maintain an Establishment of their own, while the 78 per cent who belong to the Roman Catholic Church, and who receive nothing, form the poorest part of the Irish community, and are the least able to maintain a Church of their own. It is impossible to recur to these facts without being reminded of Dives and Lazarus; only Lazarus was allowed to eat of the crumbs which fell from the rich man's table, while the Irish Lazarus gets nothing whatever. The case, however, goes still further; for this inequality, instead of being smoothed over, is greatly exaggerated by all the external manifestations that are possible. The Church of the 12 per cent is not only endowed, but it is Established. The Queen is its head—its Bishops sit by rotation in the House of Lords—it has Ecclesiastical Courts established and maintained at the public expense to decide ecclesiastical questions arising among this small body; and it has an Establishment altogether so superfluous and so monstrous as if it was intended to point and give sting to the inequality that already existed. Just look at the difference between the state of things in this country and in Ireland. Look at the difference between the numbers of the members of the Church of England in this country and in Ireland, and then recollect that there are twelve Bishops belonging to the Irish Church. I am reminded, in pointing attention to these facts, of the lines—

"If, in England, for three million souls 'tis
conceded
Two proper-sized Bishops are all that is
needed;
'Tis plain, for the Irish half-million who
want 'em,
One-third of a Bishop is just the right
quantum."

If the Irish were to have Bishops in the same proportion as the English, they should, instead of twelve Bishops, have one-third of a Bishop, or something like that. People talk of the danger of trusting the Church in a country like Ireland to voluntary efforts. Why, Ireland is, *par excellence*, the country of voluntaryism. What can be a stronger instance of that principle than a country in which 78 per cent of the people pay every shilling that is raised for their religion? It is not because you insult that voluntaryism by placing side by side with it this pompous and overgrown Establishment that you alter the real feeling of the community; and, do what we will, it will remain a country of voluntaryism. The question before you is, whether you will consent to go hand and hand with that feeling, or will strive to overshadow it by the pomp of the Irish Establishment? Then I suppose that the use of the Establishment must be to make people better. Can anyone, can any reasonable man, believe that the Irish Establishment is calculated to make anyone better? What good qualities is it to educe? Is it likely to make the Catholics better when they feel that it has been taken from them; if not as a badge of conquest, certainly as a badge of reconquest? They must be more than human if they do not compare with feelings of discontent the poverty and homeliness of their own worship with the pomp and splendour of the worship of the minority. Is it the Protestants whom you expect to make better, by accustoming them to the selfishness and the disregard of the feelings and rights of their neighbours, which are inseparable from the condition of a dominant minority. Then is it a wise thing that such an Establishment should continue to exist? Is it wise that, after we have one by one struck off the fetters of the Irish Roman Catholics, we should leave these last two or three to gall and jingle, so as continually to remind those whom we wish to conciliate of the sufferings they formerly endured? Is it wise, by a constant reference to the date of that Church's birth, to recall to the recollection of the Irish Roman Catholics a period when those without the pale were regarded by the Protestants as creatures scarcely human, and when the Church was imposed upon them, without the slightest regard to their wishes, their feelings, their traditions, or their devotion? I can scarcely imagine any course more imprudent, if we really desire to conciliate Ireland, than to stand, as the right hon. and gallant General (General Peel) recommends us to do, doggedly by this Establishment. We may rely upon this, that, by whatever means we may attempt to conciliate the Irish Roman Catholics, it is a *conditio sine quâ non* to our success that we should fully acknowledge that they are our equals in political status, a thing which they never can feel while this Establishment is maintained. The proportion of Protestants and Episcopalians to the Roman Catholics in Ireland is pretty much the same as if with two-and-a-half millions of Catholics, two-and-a-half millions of Englishmen were Roman Catholics, and that the Pope, or some foreign Power which we could not resist, forced upon us an Establishment surrounded with every circumstance of pomp and power for the benefit of those people, and that the Protestants were left to provide for their own religion. We should say that nothing but main force should induce us to bear it, and if we submitted to any other means we should deserve and receive the contempt of the world. This being the state of the case with regard to the Irish Church, we are asked with an air of triumph why this side of the House has moved in this matter now? The question should rather be, why have we not moved long ago? I have never entertained a doubt on this subject, and never shall. There have been those, however, who have led this party who have thought differently. But the times have changed. The right hon. Gentleman the Member for Oxfordshire (Mr. Henley) deplores the changes that are coming. But what is this change? The shadow that has fallen over you in this matter is created by the fire you kindled last year. ["Oh, oh!"] Do you suppose that you can meddle with the institutions of the country without its producing its natural effects? Do you think that after what was done last year, in the cause ef equality, you can have recourse to your old stock arguments, and go on evoking our sympathies as you have over and again attempted to do for a pampered minority—a minority pampered at the expense of a poorer majority, and that we should listen to arguments which appear to ignore the existence of any Irish beyond the pale of the Church? But there are other circumstances, I think, which justify us in the course we have adopted. We have got a new Government, and a new Government that do not come to us in the guise of a Conservative Government, but as a truly Liberal Government. Now, the Chief Secretary made this observation in his speech with regard to the Protestant Church. He dealt with two subjects, one was that of education and the other was the Church. Now, this is what he said, and this is what is given us, the Liberal party, as a truly Liberal doctrine with regard to Ireland—

> "The Question must be dealt with in a very different spirit from that which advocates entire abolition."—[3 *Hansard*, cxc. 1393.]

He continued—

> "Confiscation is the worst proposal that can be made, either as regards the Church or the land." —[*Ibid.* 1394.]

I am not canvassing the justice of the noble Lord's statement. I merely wish to show you what the manifesto of the Government was on the Irish Church Question. Then he says—

> "The despoiled, if confiscation were agreed on, would feel much more sorely than those to whose position they were brought; and I am sure that the statesman who proposed to give peace to Ireland at the expense of the Irish Church, would create few additional friends of British rule, and would not fail to alienate a large and influential party to whom we are bound by every tie that is sacred."—[p. 1394.]

I do not deny that he spoke in that respect the language which hon. Gentlemen opposite have been accustomed to hear and cheer on this subject, language that goes home to their feelings, and I am not now arguing against the justice of what he says. But what I maintain is, that in this language and in this speech hon. Members on this side will not recognize what they have been accustomed to regard as truly Liberal sentiments. And when the right hon. Gentleman at the head of the Government appeals to us to support his Government on the ground that it is truly Liberal, and when we are furnished with this as a specimen, we are challenged to show what truly Liberal sentiments really are, and to declare that we can not for a moment accept as such the opinions which were expressed by the noble Lord. Then we have the only other thing that has been wanting—"The hour has come, and the man." We have at last a Leader who does not shrink from this question. The noble Lord the Member for King's Lynn endeavoured to show that the Resolutions were bald and meaningless; that there is no effect in them; that he could not gather what they meant; but, at the same time, he told us in his speech that they had been received with rage and resentment in Ulster. So that apparently their meaning was understood by the people of Ulster, and the right hon. Gentleman the Home Secretary appeared to comprehend their meaning when he took them for his text the other evening, and dealt with them in a manner which showed that they were not the absolutely meaningless phrases which they were held to be by the noble Lord the Member for King's Lynn. It certainly appeared as if the noble Lord had prepared a speech on the hypothesis that the speech of my right hon. Friend would not explain the Resolutions. Indeed, it reminded me of the guns in the Bosphorus, built in the wall, which would blow a vessel to pieces if it would only be kind enough to pass exactly in front of them. But, if it did not, the guns will not traverse, and their contents go into empty air. We, at all events, have not shrunk from discussing this question. We were challenged by the noble Lord the Chief Secretary, and we have, I rejoice to say, taken that challenge up. The question has been fairly raised, and it must be decided. Then, what is there to be said against the proposal of my right hon. Friend? It is said that we are giving up the Act of Union. I should like to ask any hon. Gentleman, legal or non-legal, whence the Parliament of 1800 derived the power which enabled it to bind all future Parliaments, or why it possessed such paramount authority that we should have lost a certain amount of our power, which has been taken away from us and all succeeding Parliaments by the Act of the Parliament of 1800? We claim no power to bind our successors; and, while the Government are endeavouring to impress upon us the fact that we cannot by our action control the next Parliament, we are told that we cannot interfere with what was done by the Parliament of 1800. Then, Gentlemen talk of a compact; but who were the parties to that compact? How many Roman Catholics sat in the Parliament at that time? The Protestant Parliament of Ireland makes, or is bribed to make, a compact with the Protestant Parliament of England, purporting to exclude Roman Catholics for ever from rights which are, as I say, inherent in every Roman Catholic. We have nothing to do with, and are not bound by, such a compact as that. This notion of a permanent law, and the power of one generation to bind another, would be ridiculous, if it were not so mischievous. In that respect, at any rate, we may take a lesson from America. The Americans have always acted upon the doctrine that the present generation is lord and master of the destinies of the generation; and it has been that pliability of their machinery which has enabled them to carry on their Government under many difficult circumstances. Then there is the Coronation Oath. I will not say much about that, because there is no man who will say that the Coronation Oath binds the Queen in her legislative character. To maintain that it did would be to say that the Parliament of William III. had power to veto the action of Parliament for all time to come in matters that might be of vital importance to the State. In that case, if a law of the first necessity had to be passed—and it was impossible that the Sovereign should give her assent to it—the result would be that the country would be forced into a revolution. And that is always the fate of permanent laws. Such ideas as these are bugbears in the times of peace; but at other periods they are scattered like the dust before the wind, because the only alternative is revolution. Besides, I should like to ask whether the duties of the Sovereign are not the same before as after the Coronation Oath has been taken; and, if so, whether, before the Oath, the Sovereign is bound to assent to no measure disestablishing the Irish Church? Then there is another argument—the argument of vested interests. A vested interest must be vested in somebody; and, if there is a vested interest here, it must be either in the Church, the clergy, or the laity. It cannot be in the Church, for this simple reason—that a vested interest means, as I understand it, a right to compensation for a reasonable expectation—for a right which can be ascertained in property, or something in the nature of property. Now the Church has no property at all; it is not a body politic or corporate; it is incapable of taking property—it cannot receive it or take it; property cannot be conveyed to it—it cannot own it, and therefore can have no vested interest. On the next point, I take the Secretary for the Home Department as my authority, and he says—

> "As for the clergy, we can easily get rid of them with compensation. They are merely there for the benefit of others; they are public *employés*, who can be dealt with as easily as any others."

It remains, then, as my hon. Friend the Secretary for the Home Department says, that the vested interest, if it exists at all, exists in the laity. Now, if it exists in the laity, and you take it away, as he says with great truth, you cannot compensate the people at all; you cannot compensate the laity for the withdrawal from among them of the Established Church; it is an injury to their feelings, and causes them inconvenience; but these things cannot be estimated at money value. Then, my right hon. Friend says, that you must not disestablish the Irish Church, because you cannot compensate the people for the loss of it. If that be so, there is no injustice existing in the world of which you can get rid, because people have only to seize upon something which is now the property of the whole community, and you are in this difficulty—you cannot compensate him by raising from the rest of the community the sum required. So that the community lose by the resumption just as much as they gain. Therefore, I apprehend, if you want to perpetuate a system of injustice, you have only to set up that question of compensation to the laity. Then there is an argument called "the garrison argument." It is said we must keep up the Protestant Church in order to keep up the Protestant influence—in order to keep up a garrison in Ireland. The answer to that is very short. We are strong enough in Ireland at present to enforce a gross injustice on a majority of the people. Do not let us be afraid that when we have the majority on our side we shall not be able to force the minority to do justice: we shall have a better garrison than we have now—the hearts of a grateful Nation. Having referred to these arguments *seriatim*, I will make one criticism on them as a class, and that is a very important one. When we argue, in order to persuade a person, we ought to start from a common ground; we should get at a principle which we admit, and which he admits. If you start from what you believe, but your antagonist does not agree to, your argument is manifestly futile; it is what is known as "begging the question." Is there any argument adduced in the course of the debate, or can any argument be adduced by human ingenuity, in support of the Irish Church, which will be at all likely to convince a Roman Catholic? Can any one say that the Roman Catholic is obstinate or wrong-headed because he does not consent to the foundation of the arguments brought forward? I know of no argument which can be brought forward that a sincere Roman Catholic can acquiesce in. You must start from a principle to which he will assent; otherwise, if he refuse to be convinced, it is not his fault, but yours. Would you maintain a system which you cannot prove to those who suffer by it to be indispensable? You cannot justify the possession of what you have obtained by bare force; then how can you hope to keep peace in a country in which the most permanent institutions are secured by bare force; how can you imagine, under such circumstances, the possibility of reconciling the mass of more than three-fourths of the people? I now proceed to another part of the subject, and that is the conduct of the Government; and dealing with this I ask the indulgence of the House, because the Government has contrived by a kind of zigzag policy to make the subject excessively complicated. However, I hope I have succeeded in getting at the bottom of it. I invite the House just to follow me as I briefly run through the history of these transactions. I start with a point to which I have already alluded, and that is the declaration by the First Minister of the Crown that the policy of the Government was to be a "truly liberal" one. These were very re-assuring words for Ireland, and no doubt they had their effect. The second step I have also alluded to; I refer to the statement made by the Chief Secretary for Ireland—that the Government would not listen to any plan for disestablishing, or, indeed, for making any serious changes in the Irish Church, except internally. But, at the same time as the noble Lord said that, he also made another statement regarding Irish education; and that statement, proposed we should grant a charter to a University, to be mainly under the control of the Roman Catholic Bishops, for the purpose of educating the Roman Catholic laity. I am not going to enter into that question now; but I will say this, that every sincere Roman Catholic—certainly every Roman Catholic ecclesiastic—is an enemy to the Protestant Establishment in Ireland; yet, at the same time, as the Government professes undiminished affection for the Protestant Establishment, it proposes to hand over the education of the middle and upper classes of the Roman Catholics—the great majority of the population—to persons to whom it is no discredit to say that they are necessarily, by their situation and creed, the bitterest enemies the Establishment can possibly have. That is zigzag the first. The next one was still more striking. I allude to the letter of the right hon. Gentleman the Prime Minister, which I think has not received the consideration it deserves. The right hon. Gentleman says in his memorable letter that he had formed a Ministry "by the command and with the approval of Her Majesty." I do not know whether those words are merely formal; but if they are more than formal, I think they might just as well have been omitted. The right hon. Gentleman goes on to say, referring to a memorial—

> "Such expressions of feeling on the part of influential bodies of my countrymen are encouragingly opportune. We have heard something lately of the crisis of Ireland. In my opinion the crisis of England is rather at hand; for the purpose is now avowed, and that by a powerful party, of destroying that sacred union between Church and State which has hitherto been the chief means of our civilization, and is the only security for our religious liberty."

Observe the words, "now avowed by a powerful party, of destroying that sacred union between Church and State." What Church, and what State? Of course, it is perfectly clear it is an inference of his own that the right hon. Gentleman has put forward here. What we avow is our intention to break the connection between the Irish Church and the English State. [Sir Stafford Northcote: What Church?] The Irish branch of the English Church, and that is represented as if this influential party had avowed its intention of breaking up the union between the Church and State altogether. There is no qualification whatever. Then the right hon. Gentleman speaks of "the sacred union between Church and State." Why, Sir, the sacred union, as it is called, was effected in the year 1800 by the Act of Union; it was not obtained by sacred means at all. Perhaps the right hon. Gentleman opposite will take a note of this, and in due time prove how a thing which did not exist before the Union and was created by the Act of Union, can possibly be sacred, and whence the inspiration came. He possibly knows something of the influence under which that Parliament acted; but I do not think he will call it sacred. But we will pass from that expression to consider "the chief means of our civilization." What is that? The Church of Ireland? The right hon. Gentleman actually tells us that our chief means of civilization is the Church of Ireland; and that the only security for our religious liberty is this very Church of a small minority, which religious liberty, unable any longer to endure so great an injustice, has risen up against, resolved to see its end. That letter was, no doubt, intended to serve a purpose, and far be it from me to say it will not do so. It was intended to assure a certain party that their interests were safe in the hands of him who, in his time, has played many parts, and now stands forth as the great Protestant champion. The experience that the right hon. Gentleman has had of mankind has taught him to rely much on their gullibility. I am sorry to say I have contributed a little to his opinion of mankind. With the Amendment moved by the noble Lord the Member for King's Lynn in one hand and the charter for the Roman Catholic University in the other, he is going, by means of these three remarkable lines in this letter, to establish himself at the head of the Protestant and No Surrender party, and to persuade them to retain him in office. But for once he has over-estimated the limits of their gullibility. Well, this step can hardly be called a step. The Catholic University has hung fire: it hangs fire still; and I do not believe we are to hear any more of it. I took the liberty to say it is a pyrotechnical display, and I believe it is. It may be described by the lines of Virgil—

> "Liquidis in nubibus arsit arundo,
> Signavitque viam flammis, tenuesque recessit
> Consumpta in ventos."

It shone for a moment; it was dissipated by the first breath of opposition, and we shall hear no more of it. Well, the next step is the Amendment of the noble Lord the Member for King's Lynn. You will observe the right hon. Gentleman at the head of the Government has been going very far; he appears as a very high Protestant indeed, and, in accordance with the zigzag policy which guides the Government, the noble Lord has been going a little bit the other way. The memorable letter appeared in *The Times* one morning, and on the very same afternoon, so necessary was it to take a little relaxation after the extraordinary pitch of religious zeal to which the right hon. Gentleman had wound himself up, that the noble Lord gave notice of his Amendment. It has been described as being "obscurely worded," but I am bound to say it is by no means obscure. I think I understand it perfectly, and I will state what I think it means. It has two propositions. In the first place, it admits that considerable modifications in the temporalities in the Irish Church are—["No, no!"] I]beg pardon—"may be" expedient. "Scandals" was the word used by the Secretary of State for the Foreign Department. Then, what do these words mean? I have no doubt as to their meaning. Whether it makes for or against my argument it is quite clear that they refer to the pending inquiry. We all know what that was. It was an inquiry into the administration and revenues of the Irish Church and how they could best be improved. It was attempted to add to the scope of that inquiry by the addition of words relating to a more equitable distribution of the revenues; but these words were rejected, and accordingly there can be no doubt that the Amendment only contemplates a certain re-adjustment within the Church. That is a fair construction—I do not care which way it makes—of the wording of the noble Lord's Amendment. I daresay you might get rid of some scandals, but I doubt whether that would improve matters much; because the "educated" gentleman, of whom we heard to-night, would probably be needed more in a parish where there were only a few Protestants than where there were a great many. I do not enter into that. All that the words do is to pledge the Government to deal with internal reforms of the Church; and then it adds that any proposition tending to the disestablishment or disendowment of the Church ought to be reserved for the decision of the new Parliament. We had no comment upon these words from any hon. Gentleman who spoke from the Benches opposite. But, what do they mean? I apprehend that when a man says, "I have got a box for the play to-night, and I have reserved a seat for you"—that constitutes an invitation for me to go to the play with him; and when he tells me, 'I have got a dinner party, and reserved a seat for you" that he thereby invites me to dine with him; and, in like manner, that the proposal to reserve this question of the Irish Church for the decision of the new Parliament means, "I invite the new Parliament to deal with it." That, then, is the construction of the Amendment. The first part pledges the Government to immaterial alterations within the Church; the second invites the new Parliament to deal with the Church as it chooses. And when I look to the speech of the noble Lord as explanatory of the Amendment I find that, speaking for the Government, he says—

> "We have made up our minds to two things; the first of these is that an alteration in the *status*," the temporalities of the Irish Church "is inevitable."

The noble Lord, speaking on behalf of the Government, goes on to say, "That will be the first business of any Government when the new Parliament assembles." Therefore, I say that, no doubt, is the meaning of the Amendment of the noble Lord. I do not blame it for obscurity; but I blame it, if he will allow me to say so, for a want of good sense. ["Oh, oh!"] Why should we make any alteration in the Irish Church; why should we pull it about and transfer its funds from one part of the country to another if we do not intend it be permanent and enduring? If we do anticipate that it will be permanent and enduring, why reserve it for consideration in the new Parliament? It is like saying, "I approve spending large sums of money this year in beautifying and planting Hyde Park, reserving for the consideration of Parliament next year whether it will not be better to cut it up into streets and build upon it." I come now to that part of the speech in which the noble Lord introduced his Motion. That speech, I think, has been very ill-treated by his own party, and for this reason. I really do not see how, if such a Motion was to be proposed, it could have been supported in any other manner than it was. I have endeavoured to give a fair and honest construction of what the Motion meant. And how on earth was it to be supported? It was very easy to make such a speech as my right hon. Friend the Home Secretary made. But he spoke against the Amendment. Nothing was easier than to do that. But the noble Lord was under the melancholy necessity—from which the Home Secretary felt himself to be quite dispensed—of supporting his own Motion. We really should make allowance for Gentlemen in such difficulties. And if this Motion was a right and proper Motion, the speech of the noble Lord was a right and proper speech in support of it. Look to what the Foreign Secretary said—and the importance of the statement rises beyond the immediate question and goes to the very root of responsible Government—he spoke with a desire—

> "That the ideas and intentions of Her Majesty's Government in objecting to the Resolutions of the right hon. Gentleman shall not be misconstrued or misunderstood either here or out-of-doors."—[3 *Hansard*, cxci. 495.]

Therefore, you have the noble Lord's own word for it—and nobody can doubt it for a moment—that in what he said he was not merely the organ of the Government to the extent of moving the Amendment, but that, as the organ of the Government, he gave vent to the opinions which he expressed in the course of that speech. Let us see what some of those opinions were—

> "Probably there is not one educated person in a hundred who will stand up and pretend that the Irish ecclesiastical arrangements as they exist are of altogether a satisfactory kind."—[3 *Hansard*, cxci. 498.]

You may say that relates to internal arrangements; but see what follows:—"If you alter the present application of the endowments"—that might mean, perhaps, transferring them from one place to another, but mark the end of the sentence—"what will you do with them?" The noble Lord admits that he is puzzled what to do with them, as many other persons have been and will be puzzled what to do with them. I will not enter into that question. I am pointing out to you that your organ—the second man in the Government—comes forward and tells us he speaks on your behalf, and that he is determined there shall be no mistake as to the meaning of Her Majesty's Government in the words which he uses and the sentiments which he expresses. He enumerates five different plans which have lately come under public notice, and of the last of these he says—

> "Lastly comes an idea which finds great favour, I believe, among a portion of Irish Churchmen, although I am bound to say I do not think it is one that a reformed Parliament is likely to adopt —the scheme, I mean, of leaving untouched the Protestant endowments as a whole, but re-distributing them so as to get rid of the scandal which everybody admits to exist—of sinecure livings and empty churches."—[3 *Hansard*, cxci. 500.]

What does that mean? There are five schemes which he passes in review; upon four of them he expresses no opinion whatever, all of them being different plans of disendowment, and when he comes to the fifth, which is a scheme involving no disendowment, that he discusses with a sneer as an idea which will find no favour with the House. And then the noble Lord says, with great simplicity, having enumerated all these different projects, "and it is into this great chasm that you invite us to plunge." That the Government should actually be compelled to give a clear opinion upon the Irish Church—what misery, what horror! There was a time when it was considered the duty of the Government of England to give its opinions clearly to the House of Commons; when the Government trusted the House in return for confidence reposed by the House in the Government; when frankness in the communications of the Government was the correlative of trust given by the House—when the Government guided, led, directed, and moderated the opinion of the House of Commons. But we all know those days are past and gone. The right hon. Gentleman the Prime Minister will be known at least for this — that he and the Government of which he is at the head have thoroughly inaugurated a new era, and that the notion that a Government is bound to plunge into such a chasm as would be involved in its really committing itself to a bold, clear, outspoken policy on the Church of Ireland is never again to be looked for. The noble Lord says—

> "We affirm two propositions, one of which I conceive to require no proof—namely, that some modification"—

this is the thing which is so self-evident that it requires no proof at all—

> "That some modification, be it what it may, in the status of the Irish Church Establishment is to all appearance inevitable."—[*Ibid* 506.]

What does "status" mean? What is the status of a woman? Married or single. What is the status of a Church? Whether it is Established or not. Then the noble Lord winds up in this manner. He says—

> "Then it is asked, 'Why not meet the Motion by a direct negative, or by the Previous Question?' Simply for this reason: either one or the other of those courses would imply, or might possibly be considered as implying, that we objected to this question being dealt with at all, in any form or at any time. And that is a misconstruction against which we reasonably desire to guard." —[p. 506.]

What question? The status of the Irish Church Establishment, and the appropriation of its endowments to other purposes than that of the Establishment. So that we have the authority of the noble Lord for saying that the reason this peculiar course was taken was from the fear lest it might be concluded that the Ministry really meant to stand by the Irish Church. The same night we had the speech of the Solicitor General—not a Member of the Cabinet certainly, but still Counsel for the Government, and as such speaking in some manner on behalf of the Government as a whole. And I must make this remark, both upon the speech of the noble Lord and that of the Solicitor General, that they seemed to have been prepared with very peculiar deliberation and accuracy; and that whatever errors they committed were certainly not occasioned by too rapid or careless improvisation. The Solicitor General speaking after the noble Lord, but in the course of the same evening, said—

> "He would never consent to leave the Protestants of Ireland without an Established and an endowed Church," and declared that "he would be no consenting party to a policy which carried to the extent to which the right hon. Gentleman carried it, must result in a religion betrayed and a country ruined."—[3 *Hansard*, cxci. 551.]

That was pretty plain speaking. Of course the policy the hon. and learned Gentleman referred to was the policy proposed by the right hon. Gentleman (Mr. Gladstone), and not opposed by the noble Lord opposite. That is the way the Government treats this question. Then, the next night my right hon. Friend the Home Secretary spoke, and if there had been any doubt left as to the extraordinary proceedings of the Government his speech must have removed it. From beginning to end he never noticed the speech of the noble Lord the Member for King's Lynn. He never said a word about it. But every single position that the noble Lord took up he most emphatically denied and denounced. Let anyone on the other side who thinks I do not say the truth say "No." He began by denying the truth of some observations which had been made about the conduct of the Government upon the Reform question last year, and he gave a short but most admirable reason for their conduct. He got rid of all the difficulty as to which some invidious observations had been made by my noble Friend below the Gangway by the statement that it was not a matter of principle at all. Well, I think that was a capital answer. It was a matter of degree, he said; of a little more or less. Whether we should continue to live under an aristocracy, which he had always fought for and prayed for and approved; or under a democracy which he had always derided and denounced, it was only a matter of degree! Then we come to this: he says—

> "Supposing we had met these Resolutions by a direct negative—which, as far as I am personally concerned, I should be, and am, perfectly prepared to do."—[3 *Hansard*, cxci. 580.]

This, the House will observe, is a latent censure on the noble Lord's Amendment as strong as words can imply. He then takes upon himself—and I do not blame him for it—to answer for the Government. He says—

> "I will give the right hon. Gentleman no other pledge than this, that we will act in accordance with the former part of the Amendment. . . . But if you ask us to go further, I will say, at least, for myself, as I have upon former occasions, that I will not be a party to a measure for disestablishing the Irish Church.—[*Ibid*, 597.]

Now, what is that but saying "I will go with the noble Lord the Member for King's Lynn as far as the first part of the Resolution, and I will oppose to the utmost of my power the second part of it?" I am not making any comment as to who is right or who is wrong; but I want to show the House the way in which the Government meets the case. I have now finished reading these extracts, which, I am sure, will be a great relief to hon. Gentlemen opposite. I ask the House to consider what all this amounts to. Here you have the Government acting in the most inconsistent manner, setting up at one moment zeal for the Church, and the next moment willing to intrust the education of the young—one of the most sacred of charges —to the hands of its bitterest enemies. The right hon. Gentleman at the head of the Government comes forward with a letter which out-Herods Herod in the extraordinary height to which it carries the principle of an Establishment; and the very next day we have the noble Lord proposing an Amendment which virtually gives up the principle of an Establishment altogether, or which reserves the principle for the next Parliament, leaving it to that Parliament to decide what is to be done. But, as if that was not enough you put up another Minister, who takes a different part. First, you have the noble Lord the Member for King's Lynn, who argues the question in the spirit of the Resolutions before the House; the next day you have the right hon. Gentleman the Secretary for the Home Department, who gets up to deny everything the noble Lord the Foreign Secretary said—to deny what he asserted on your behalf, and to assert on your behalf what he denied the day before. And that is the manner in which you think it right, and decorous, and worthy the dignity of the House of Commons to treat this question! It is nothing new to us to observe these things —to see the Government change its attitude—to find that there should be a complete change in the attitude of the Government in this House. We now find that the Government, instead of initiating measures, throw out, like the cuttle fish, of which we read in Victor Hugo's novel, all sorts of tentacula for the purpose of catching up something which it may appropriate and make its own. First one thing is thrown out, and then another; and when anything does not take, it is withdrawn immediately, and the Minister repudiates it, and disavows those who brought it forward. Consequently, in the political vocabulary, we have a new sobriquet introduced, the right hon. Gentleman the Member for Buckinghamshire's "ninepins." But you were not content with the inconsistency which I have pointed out to the House. You could not exceed the inconsistencies of last year. You have done your best this year, but you are not able to come up to your inconsistencies of last year; the nature of things does not allow it. You have initiated a new idea in Parliament. It is the first experiment of the kind, and I certainly hope it will be the last. You have recently taken to do this—to put forward successively two Gentlemen holding the highest offices, except one, in the Government, to contradict each other and state contradictory lines of policy to this House. The one says you are in favour of making any modification in the Irish Church; and the other says you will not listen to any such proposal; so that those who like may vote with the Foreign Secretary, and those who do not like to vote with him, may vote with the Secretary for the Home Department, the question before the House being the same all the time. The House of Commons has endured a good deal of this kind of thing. We have been all lowered by it. The Government has been lowered by it; the House of Commons has been lowered by it; and the estimation in which public men are held by the country has, I fear, been irretrievably lowered by it. I rise to denounce as strongly as I can these innovations. I think it was enough to have the ground of the Government shifted from the letter of the right hon. Gentleman to the Amendment of the noble Lord in one day—to go from one pole to the other in a single jump—I think that was enough; but the right hon. Gentleman is a man of daring genius, and has reached his culminating point of audacity. In his letter he puts forward the connection between Church and State as sacred; but in the Amendment he expresses his willingness to invite the attention of Parliament to the propriety of abolishing that connection in Ireland. He has been guilty of many inconsistencies; but inconsistencies do not satisfy the right hon. Gentleman. He must soar a little higher; and actually two Members of his Cabinet come forward with two absolutely contradictory lines of policy on one of the highest and most important subjects that can engage the attention of Parliament. I can add nothing on this subject. I lament all this more than I can express; because, without speculating very closely on the future of a new Parliament, of this I am certain, that the vessel of the State is going to enter on stormy waters, and should enter on them in good trim. I think that the peril which is to be attributed to the conversion of right hon. Gentlemen opposite last year, has been immensely aggravated by their manner of conducting the business of the House. I see from it the most disastrous results. Everyone says that there is no honesty, and that no institution is secure for a moment. [*Ironical cheers.*] Those Gentleman who voted so steadfastly for household suffrage last year do well to cheer. These things come—no doubt rightly—before the time of the Parliament to which your Vote of last year will give rise, and which appears to us now only by the shadow which it casts before it. Why have they been antedated? Because, since the right hon. Gentleman and his Colleagues have adopted this line, every one feels that when institutions are attacked, which the Executive Government ought naturally to defend, the Government will not step forward to defend them, but will even endeavour to wrest out of the hands of others the carriage of the question in order to more effectually destroy those institutions. Therefore it is that, not only changes are made and will be made, but will be made with violence, rapidity, and an unthinking haste, which would not be possible if this House were under the control and guidance of an Executive Government which really felt its responsibility. Naturally the garrisons of such institutions are intimidated by knowing that they have no support from the Government. They know that our institutions are like Jericho—the moment the trumpet is blown the walls fall to the ground. All these things, and many more of the same kind, arise from the rotten policy which the Government has introduced for the last two years, of seeking, under whatever pretence, to get possession of questions with the idea of having the popularity and credit of settling them. All this bodes no good to the country. I expect no good from such a policy. I prognosticate that no good can come from such a policy. It is founded on a trafficking on the meanness, pettiness, and the selfishness of mankind, which never rises to the inspiration of any great and noble principle, and seems incapable of devotion, even for a moment, to a great and noble cause. If those who are actuated by such feelings should be betrayed for an instant into a transitory sentiment of attachment for what is high and noble, no sooner is this entertained than it is repented of in sackcloth and ashes. As it is with this Government, so it is with the Irish Church. It also rests on a rotten foundation. You may call it sacred; you may unite it by Acts of Parliament to the English Church; you may, like Mezentius, link the dead to the living body. He tied the dead to the living body, because his object was to kill, and he knew the corruption of the dead body would destroy the living one. Your object is to save, and yet you adopt the same process—you tie the living Church of England to the dying Church of Ireland. Why are you so anxious to unite the cause of the English Church with that of the Irish, since they differ in almost every particular in which Churches could be identical? Why, because machinery is put in motion which may destroy the Irish Church, do you seek to involve the English Church in the ruins? But rely on this—all your efforts are in vain. You may do your utmost, but you will not save the Irish Church; nor will the country allow you to enjoy the blessing of destroying her. You will not be able to play over again the game which you played last year. The net of the fowler will not entice birds who have been once caught. The Irish Church is founded on injustice; it is founded on the dominant rights of the few over the many, and shall not stand. You call it a missionary Church. If so, its mission is unfulfilled. As a missionary Church it has failed utterly. Like some exotic brought from a far country, with infinite pains and useless trouble, it is kept alive with difficulty and expense in an ungrateful climate and ungenial soil. The curse of barrenness is upon it; it has no leaves; it bears no blossoms; it yields no fruit. "Cut it down; why cumbereth it the ground?"

Mr. HORSFALL remarked that the right hon. Gentleman the Member for South Lancashire had carefully abstained, in the speech with which he had introduced these Resolutions, from speaking of the United Church of England and Ireland. The right hon. Gentleman had throughout spoken of the Irish Church, or the Anglican communion in Ireland. Now, in his judgment, things ought to be called by their proper names, and therefore he called the Church the United Church of England and Ireland. This was a matter of considerable importance; because if merely the "Irish Church" were spoken of, and legislation went according to numbers, there could be no doubt that the Roman Catholics of Ireland formed the large majority of the population, whereas, if the term "United Church of England and Ireland" were used, it was equally certain that, in the two countries taken together, there was an overwhelming preponderance of Protestants. As to the object of bringing forward these Resolutions at the present juncture, he would trouble the House with a short extract from a letter addressed by Earl Grey to the hon. Member for Birmingham (Mr. Bright). Earl Grey said—

> "We hear it openly avowed that this move was wanted in order to re-unite the Liberal party. Those who compose that party are, it is said, so divided in their opinions that something of this sort was absolutely necessary to bring them together, and that a flag has thus been raised under which they will all rally. I would venture to ask you whether you really think that this is justifiable? Is it right that Ireland should wantonly be made the battle-field of parties?"

A large portion of the speech of the right hon. Gentleman the Member for South Lancashire consisted of a defence of his policy during the last five-and-twenty years: and he quoted Burke, Pitt, and others in support of that policy. He, however, would quote an authority which, in his mind, was of more weight than any of those which had been cited—he meant the right hon. Gentleman himself. He did not intend to quote from *Hansard,* because speeches were often prepared in haste, and delivered without due deliberation; but from the right hon. Gentleman's treatise on *The State in its Relations with the Church,* published in the year 1838. The right hon. Gentleman, it would almost seem, must have had a prophetic vision of what was coming to pass, for the words of the introduction to the Work were perfectly applicable to the events of the present day. The right hon. Gentleman said—

> "Probably there never was a time in the history of our country when the connection between the Church and the State was threatened from quarters so manifold and various as at present. The infidel, with sagacious instinct, following out all that tends to the general diminution of religious influences; the Romanist, who, in order to erect his own structure of faith and discipline, aims first at the demolition of every other, and who seems in general to deem us so involved in fatal error, that we must pass through the zero of national infidelity in order to arrive at truth; the professor of political economy, who considers this connection as a visionary theory, only mischievously known by its tendency, when obtruded into practice, to interfere with what he deems the substantial interests of mankind; the democrat, who naturally desires to strip Government of all its highest duties, and leave to it the performance of no more than mechanical functions; of all these it was, perhaps, on the whole, to be expected that they should unite upon any seemingly favourable occasion to press for their common object; and they have so united."

The following passage was still stronger, and the argument comprised in it was, in his opinion, unanswerable:—

> "A common form of faith binds the Irish Protestants to ourselves, while they, upon the other hand, are fast linked to Ireland; and thus they supply the most natural bond of connection between the countries. But if England, by overthrowing their Church, should weaken their moral position, they would be no longer able—perhaps no longer willing—to counteract the desires of the majority, tending, under the direction of their leaders—however, by a wise policy, revocable from that fatal course—to what is termed national independence—"

Or, in other words, the repeal of the Union. The right hon. Gentleman failed entirely in his speech to show wherein the necessity existed for our separation from the Protestants of Ireland. He would not impute to the right hon. Gentleman that he had any doubts as to the truth of the Protestant religion, though he was afraid he had been too ready to believe some of the exaggerated statements which had been put forward on the subject of the Irish Church. No doubt the right hon. Gentleman was aware that there were two classes of parishes in Ireland—namely, civil parishes and ecclesiastical parishes. The number of civil parishes was 2,428; of ecclesiastical parishes, 1,510. The civil parishes sometimes comprised three, four, five, or six ecclesiastical parishes. Now, it had been stated that there were no fewer than 199 parishes which did not contain a single Protestant. This was no doubt true as regarded civil parishes; but there was but one ecclesiastical parish which did not contain a single Protestant, and even that parish contained a church which was attended by Protestants from the adjoining parishes. Then the revenues of the Church had been incorrectly stated. The net revenue of the Bishops and clergy in Ireland was £447,670; the number of Bishops being twelve, of incumbents, 1,510, and of curates 622—making a total of 2,144. Taking, therefore, the incumbents alone, and the net income of the Church payable to incumbents, and dividing it among them, the result would be that each incumbent would receive a stipend of £259 6*s.* 8*d.* The number of members of the Established Church was 693,357, so that on the average each incumbent had charge of 452 souls. Some parishes extended for a distance of twenty, thirty, or even sixty miles; some contained between 40,000 and 50,000 acres, and some even 200,000 acres. The right hon. Gentleman had stated, he knew not on what authority, that there were two parishes in Ireland in each of which there were only two Protestants.

Mr. GLADSTONE said, he believed that circumstance was mentioned by Dr. Maziere Brady.

Mr. HORSFALL said, he had not yet received the detailed information he had expected on this point, and therefore he would not further refer to it. To the objection of the right hon. Member for Calne (Mr. Lowe) that the Church of England was a missionary Church, he replied that the Church of Rome was also a missionary Church, and in support of his statement he would mention the case of a Roman Catholic priest who was sent to establish a Church at Bodmin, although there were no Roman Catholics in the place. The project in that instance failed, and the Church was now shut up. Looking at the views propounded by the right hon. Gentleman the Member for South Lancashire, and to the probability of his being again Chancellor of the Exchequer, he almost feared the right hon. Gentleman might, at some future period, propose to take the property of the Church for supplying the exigencies of the State. We had seen in other countries what had followed the disendowment of Churches. They hardly knew yet what would be the effect of the confiscation of Church property in Italy; but they knew that many years ago the same thing occurred in France. The Government of that country said on that occasion, "We will take care to provide for the clergy—if we confiscate their property we will make provision for them." What provision did they make? He did not know whether they gave them churches and residences; but as regarded incomes, in the case of large parishes the sum allowed was £80 a year, in middling parishes £60, and in small parishes £48. Would that be the provision made for clergymen of the Established Church in Ireland when it was disendowed? He did not see how the principle of disendowment could be carried out in Ireland, unless they also adopted it in Wales, where the Established Church was in a minority. When the Church went in Ireland and in Wales we might tremble then for the Church of England. The right hon. Gentleman and the hon. Member opposite had done justice to the labours of the Irish clergy; and there was a letter in *The Times* of to-day from the Knight of Kerry, in which he said—

> "Assuming absenteeism to be an evil, and believing that one of the most real and tangible wants of Ireland is that of resident men of education and position, especially in the more remote districts, it is well to remember that, putting aside for a moment the religious aspect of the case, you have, as matters stand now, in the Protestant clergymen an educated gentleman, with a certain income, residing in every parish in Ireland. Those who are acquainted with the poorer and less civilized parts of this country, and who remember the sad years of the famine, will bear me out when I say that it would not be easy to exaggerate the amount of good done at that trying time by the Protestant clergy."

He, too, should be sorry to see the poor of Ireland deprived of the services of the Protestant clergy. It was a very common thing for the poor to remit their money to the savings banks through the medium of Protestant clergymen. He trusted the Government would accept the challenge thrown out to them by the right hon. Gentleman the Member for South Lancashire. He would ask them, "Do you mean to take your stand on the Irish Church? Then do so, and go to the country upon that question." He had had the honour of presenting a petition signed by 10,000 inhabitants of Liverpool, and another signed by eighty-five clergymen in that town against the disestablishment of that Church, and he knew that in various parts of the country a very strong feeling existed against such a policy. He believed that if the Government went to the country, either now or in January, it would support them. The Home Secretary had quoted from a speech of Sir James Graham in 1835, and he (Mr. Horsfall) had, as a stranger, listened to a speech of his upon the same subject, and he would make a part of that speech his own. That right hon. Gentleman said—

> "If the Irish Church is doomed to fall, happier is the man who shall perish in its ruins than he who survives the fall."

Mr. CLIVE said, he would stand but a very few moments between Irish Members and the House. The House would not suspect him of wishing to recapitulate the arguments of this debate. Indeed, he had been able to get up but little enthusiasm on the subject. There were, however, one or two speeches which he must notice. The hon. Gentleman who had just sat down (Mr. Horsfall) said, that in the event of the Irish Church being disestablished, the Northern Protestants would be for the repeal of the Union. Now, his experience was entirely at variance with this conclusion, and he disbelieved it entirely. Moreover, the hon. Member reproduced the argument of Dr. O'Brien as to the area of some of the parishes in Ireland. Kilcommon was his instance. A great portion of that parish belonged to him (Mr. Clive), and he could answer for it there was little there for a clergyman to look after. There were grouse and snipes, but no roads, except those which he had made, and which, by the way, had given a great deal of employment to the people, thereby proving that landlords were not altogether so bad as they were represented to be. Well, then, the hon. and learned Member for Sligo (Mr. Serjeant Armstrong) told them on that side of the House that there was a great aversion towards the Protestant clergy, on the part of the Roman Catholic population. Now, he had known Ireland well for twenty years, before, during, and since the famine, and he could undertake to say that the statement had no foundation whatever, and that no body of men ever did their duty more conscientiously than the Irish clergy. The only fault found with them was that they belonged to the Church of the minority. He thought but little of some of the arguments used. He cared nothing for the Coronation Oath; he was not excited by the 5th Article of the Union. On the other hand, he did not believe that these Resolutions were a panacea for the so-called woes of Ireland—woes in which he hardly thought Gentlemen below the Gangway implicitly believed, and which he was sure were grossly exaggerated. If hon. Gentlemen would take the trouble of going through the evidence taken before the Committee of the hon. Member for Cork (Mr. Maguire), and before the Lords' Committee, they would find that his (Mr. Clive's) statement was true; and more particularly if they would study the evidence given by the hon. Member for Cork himself. They would find it eloquent and impressive; but of proof there was nothing. Great English and Irish landlords were really doing all they could. Some small resident landlords there were in Ireland, as elsewhere, who might not perform their duties, but their number was rapidly decreasing. At the time when Sir George Lewis published his work on Irish disturbances, and ever since, he had been of opinion that perfect religious equality should prevail in Ireland; that the Church, as Established and privileged, should cease to exist; and therefore the first Resolution of the right hon. Gentleman he was prepared to support. But disendowment and the absence of all pecuniary assistance were very different things. To the voluntary system he entirely objected—first, because in the older creeds, in the words of Sir George Lewis, such as the Greek and Roman Catholic, it led to superstition, in the Protestant to fanaticism. Hence we had the anxious sect, the camp meetings, and the revivals of America. Again, he objected to the voluntary principle because he held it to be entirely inapplicable to a country where the population was thinly scattered over a large area. He did not quite understand the Resolutions of the right hon. Gentleman or the explanation in his speech as to the manner in which he intended to provide for the offices of religion or the support of the ministers. He said that three-fifths, or perhaps two-thirds of the revenues might remain to the Protestant Church; but he (Mr. Clive) was unable to comprehend how this was to be brought about, and he hoped the right hon. Gentleman would explain his views on this point. One word as to the Irish Church Commission. He knew well that the Commission had nothing to do with the question of the establishment or disestablishment of the Irish Church; and assuming that the first Resolution was carried, all the further arrangements might well come from that body. He was quite satisfied that the statistics, which would be put in a convenient form, would show that a half or two-thirds of the revenues might be saved, that the staff of the Church might be very much diminished, and that there would be ample funds for all the religious bodies in Ireland, if they would accept them. He did not know himself why they should not accept them; but he did not wish to leave the Protestant Church without endowment or pecuniary assistance, and he thought if it were so left it would be the worse for the country. In expressing these opinions he spoke as a resident, and as one who passed a great deal of his time in Ireland.

Mr. LEFROY said, at a crisis so momentous as the present he would gladly have left the defence of his Church to abler hands than his own. As, however, the Resolutions proposed by the right hon. Gentleman the Member for South Lancashire materially effected the interests of the constituency which he represented, he felt it his duty to express, as forcibly as he could, his objections to them. He regretted that so much party spirit had been infused into this debate, and should have been much better pleased to hear a matter so solemn and important as the one under consideration discussed in a fairer and more becoming spirit, and with the simple object of ascertaining what was the best that could be done under the circumstances. Ireland on this, as well as on many former occasions, had been made the battle-field of political warfare. He deeply lamented that such should be the case. He felt some difficulty in dealing with this subject; because, if he made any references to the speeches of hon. Gentlemen present, he would be told that he was indulging in the *argumentum ad hominem*, which was offensive. If he alluded to the opinions of able statesmen who had passed away, he would probably be told that the opinions of public men change now so rapidly, that those of the statesmen of former times would probably have changed also if they had lived in the present times. If he called attention to the ancient history of the Church, he might be told that it was as uninteresting as an old almanack. He objected to the Resolutions of the right hon. Gentleman as being unconstitutional, unjust, and calculated to produce much mischief to the whole united Empire, as well as to Ireland. The first Resolution, which embodied the attack, was unconstitutional, because it was at variance with the Act of Union. The attack made upon the Irish clergy by the hon. and learned Member for Sligo (Mr. Serjeant Armstrong) he believed to be unjust and unfounded. The Irish clergy were a most estimable body of men, and were never found deficient in the sacred duties they had to discharge. The Resolutions were unjust, because they took by surprise that portion of the Irish people who belonged to the Established Church. No notice had been given them of this attempt to deprive them of their property and rights, and they had no opportunity afforded them of preparing for the crisis. This attack on the Irish Church could not end without inflicting injury upon the kingdom at large. (That the attack on the Irish Church would be more dangerous to England than had been represented in that House was sufficiently proved by a passage which he quoted from a paper, representing, as he said, popular feeling on the subject; and it was also indicated by the tone of the French papers on this debate.) In respect to the Act of Union, whilst he did not, for a moment, deny that Parliament had a legal right to repeal any Act it had passed, he yet looked upon the Act of Union as wholly different from an ordinary Act. That Act was founded on a solemn compact, entered into by the British Government for the maintenance of the Established Church in Ireland, and he contended that the House had no right to deprive the Protestants of Ireland of the benefits of their Church, which were secured to them by that compact. Lord Castlereagh, the great Minister of that day, when the Act of Union was passed, characterized that measure as one establishing one State, one Legislature, and one Church, and said that incorporated with the English Church, the Irish Church would be based upon such a strong and national foundation as to raise it above all fear. The right hon. Gentleman the Member for South Lancashire had also said, according to the letter quoted the other evening by the Secretary for the Home Department—

> "In any measure dealing with the Irish Church, I think, though I scarcely expect ever to be called upon to share in such a measure, the Act of Union must be recognized and must have important consequences, especially with reference to the position of the hierarchy."

The second Resolution was of great importance; but it could not be acted upon until an Act of Parliament was passed empowering the Ecclesiastical Commissioners to carry out its principle. He believed, indeed, that if those Commissioners were to act in the way it directed, they would be liable to be brought before the Court of Queen's Bench for not exercising the functions intrusted to them. In the speeches made by the hon. Member for Cork (Mr. Maguire), the hon. Member for Birmingham (Mr. Bright), the hon. Member for Westminster (Mr. Stuart Mill) or the many other addresses they had heard on the other side of the House, there was nothing to show that the Church in Ireland presented a substantial grievance to the people of that country generally. On the contrary, *The Cork Reporter*; *The Tablet*, and many of the other organs of Catholic opinion, attributed the discontent and disloyalty of the people to far different causes. He admitted that the conduct of some of the Irish Bishops and clergy in the times of Charles I. and Charles II., and even in the reign of George I., was by no means creditable to the Church; but the fault lay with the English Government, which made bad appointments. A vast improvement had taken place within the last century. Churches had increased, the working clergy had increased, and religion had advanced with great rapidity. Within the last twenty-five years the churches in one district had increased by twenty-five, and the working clergy in proportion. The voluntary subscriptions paid into the Ecclesiastical Commissioners' hands, for building, enlarging, and repairing churches, since that Board was established in 1834, amounted to nearly £200,000. In Dublin, Cork, Tuam, Kilmore, Limerick, and many other places, they also witnessed large sums expended voluntarily on the construction of new cathedrals and churches, or repair of the old ones, which did not pass through the Ecclesiastical Commissioners' office; and, as an example, he need only refer to the munificent conduct of one of our most distinguished citizens of Dublin in effecting the restoration of the Cathedral of St. Patrick at an outlay of £130,000. He would have preferred these Resolutions being met by a direct negative, but he would support the Amendment upon the ground that an opportunity ought to be given to the Royal Commission to state their opinion upon the subject before Parliament proceeded to legislate at all on the subject. He objected to the alienation of the funds of the Church; but he should be pleased to see such a re-distribution of those funds as would render the Church more efficient.

Sir JOHN GRAY said, the hon. Member for the University of Dublin gave the House an elaborate account of the vast number of churches that had been built, and of the large sums that had been expended in repairing the houses of worship used by the Anglican clergy. The vast expenditure he thus described he used as an argument against disestablishing and disendowing the State Church in Ireland; but he omitted all reference to the fact that these churches were nearly empty on each Sabbath day, and to the not less important fact that, with the noble exception of the unfollowed example set by the Member for the City of Dublin, the sums expended on the building, the extending, and the repairing of Anglican churches in Ireland were paid not by the Anglicans themselves, but from the State funds. ["No!"] He begged to assure the hon. Gentlemen who said "No," that if they took the trouble to investigate the facts they would find that on an average there were more than £50,000 a year paid for the building and repairing of the Protestant Churches of Ireland by the Irish Ecclesiastical Commissioners. The figures for 1864 were £51,000, for 1865 £52,000, and for 1866 £71,000, and the series of reports would show that £50,000 a year was below the average cost of fabrics to the public; and he was at a loss to know upon what pretence the Irish Church could lay claim to consideration, because of the moneys spent on Church buildings, when all that money was supplied from the national Church Fund, and not by the members of the Anglican faith. The hon. Member for Liverpool (Mr. Horsfall), who preceded the hon. Member for Dublin University on the same side, entered into a discussion on the difference between parishes, of which there 2,400 in Ireland, and benefices, of which there were 1,510. The distinction was a just one, but the argument based on it was not tenable. The consolidation of these 2,400 parishes, into 1,510 benefices, arose from the fact that there were no congregations in many of the parishes, and two, three, four, and sometimes as many as nine parishes were converted into one benefice to make up one congregation. The consolidation did not arise from the smallness of the parochial area, but from the absence of Anglican inhabitants, and occasionally from the desire to give a good income to a friend. He would illustrate the question, the discussion of which was raised for the first time in that debate by the hon. Member for Liverpool, by the circumstances of the united dioceses of Limerick, Ardfert, and Aghadoe. There were in these dioceses 183 parishes, and of the 183 no less than 22 had not one Anglican resident. Yet in these 22 parishes, in which no Anglican was to be found, there was a Catholic population larger than the total Anglican population of the three united dioceses. There were, however, parishes in which some Anglicans were to be found, which presented a case hardly better than those in which no Anglicans existed. There were 68 parishes in these three united dioceses in which the total Anglican population amounted to a number that if equally distributed would give just one Anglican family for each parish, not one of the 68 having three families residing in it. He submitted that these 68 parishes out of the 183 parishes of one diocese, no one of which had three whole Anglican families resident, and the aggregate of which gives but one family for each of the 68 parishes, is a far more damaging fact for the Irish Church, than was the fact that there were 199 parishes in Ireland without one, which the Bishops contrived to smother out of you by uniting other parishes into benefices. What is the Catholic population of these 68 parishes? The Anglican population is 360, including all the paid Church officials and their households, and the Catholic population is 76,035. Having said so much for the hon. Member for Liverpool's argument as to the small area of the parishes which have no Anglicans, he would, with the permission of the House, give him a few illustrations as to what Irish benefices as distinct from parishes are. The diocese of Cloyne has its parishes consolidated into 80 benefices. Of these there are no less than 55, in no one of which does the gross Anglican population exceed 12 families. There are 30, in no one of which is there more than 5 families—and, deducting the family of the clergyman, who is in each case paid for residing, the total number of Anglican families in the 30 benefices is 44—and for the spiritual instruction of these 44 families there is raised a parochial revenue of £6,626. He would give the hon. Member for Liverpool another group of benefices with larger Anglican populations. There were 17 benefices in the same diocese, the number of Anglican families in which (deducting those of the clergymen who were proverbial for large families) was 110, and for these 110 the parochial revenue was £7,406, giving for the 154 families a gross parochial cost of £14,032 a year, or in 47 of the 80 benefices of this one diocese an annual payment by the general public, apart from building churches, supplying requisites, and episcopal supervision, amounting to an annual cost of £135 9*s.* 11½*d.* He hoped the House would agree with him, after considering these figures, that the benefices with factitious congregations were even worse than the parishes with no Anglican congregations. But, in fact, what was true of the two dioceses he referred to, in order to expose the attempt made to conceal the truth by uniting several parishes into one benefice, was true as to all the dioceses of Ireland. There were 33 dioceses in Ireland, and in 4 only of the 33 did the percentage of the Anglican population amount to 20 per cent; in one only did it exceed 25 per cent, and in that one it did not reach 26. In 9 the percentage varied from a little over 2 to 3 and a fraction. One diocese—Dublin—contained more than one-seventh, nearly one-sixth of the whole Anglican population of all Ireland, and yet the Anglicans in that were not 20 per cent of the general population of the diocese. Yet the Church of which these things are true is the Established Church in Ireland, and is called the National Church, whose revenues are sacred and inviolable. He knew that many other Gentlemen were anxious to address the House, and being desirous not to abuse the indulgence accorded to him, he would not pursue the statistical argument any further, but proceed to deal with an argument pressed that night by the hon. and gallant General (General Peel), and pressed even more strongly by the noble Lord the Secretary for Foreign Affairs on a previous night—he alluded to the threat that if the House dared to interfere with the Church—to disestablish or to disendow it—the Anglicans in Ireland would become disaffected and rebellious. They were told that the Church was a sacred and holy institution on which profane hands must not be laid, and that it must be sustained intact to keep the light of the Reformation brightly shining amid the spiritual darkness in Ireland. The noble Lord the Secretary for Foreign Affairs told them that if they touched the Church the anger of the loyal Protestants would surge into disaffection, and he warned them — he might say, threatened them—that the consequences must be disastrous, since they were the most intelligent and active and the best organized body in Ireland. He went further. He said the Presbyterians would join the disaffected Anglicans, and that their united force, if in a state of disaffection, would be irresistable. The Home Secretary held out nearly similar threats, and, no doubt, on sufficient authority. He (Sir John Gray) did not believe that these serious threatenings were unauthorized. Certainly the noble Lord did not himself conjure up the evidence that such disaffection was to be dreaded; for the selfish and sordid agitators that are now disturbing the peace of Ireland, are labouring hard to create that disaffection which was relied on by the noble Lord as the best practical support of his Amendment. There existed at that moment in London the head quarters of a most pernicious agitating organization called "The Church Institution." The head centres of that organization were the Bishops of the Irish Church. Nine of the twelve Irish Bishops, including the two Archbishops, were on the directory, and they had recently established in every diocese, and in nearly every parish in Ireland, affiliated societies in connection with the central circle. The Anglican clergyman of the parish was generally the president of the parochial circle, and the clerical agitators were generally the leaders on the platform. That the noble Lord and the Home Secretary knew well the extent of the disaffection, almost amounting to treason, spoken at these clerical agitation societies, was matter of notoriety. The speech of the Rev. Mr. Ferrar, delivered at Rathmines, which was more than once alluded to in that debate, was delivered at one of the affiliated circles of the Church Institution. That rev. gentleman talked to his auditory of the attempt that would be made to disestablish and disendow the Anglican Church, and pledged them not to yield up the spoil without a struggle, but to prepare to die as soldiers. At another of the Church Institution circles, held at Newbliss, the rev. Mr. Flanagan, rector of Clones, spoke in a similar strain, recited the old poetic watchwords of the party—

Put your trust in God, my boys,
But keep your powder dry,

and told this House and the Sovereign that the loyalty of the Protestants of Ireland was conditional on the maintenance of ascendancy; and were the Church disendowed, their devotion to the Constitution and their allegiance to the Crown would be at an end. This rev. agitator went further. He had the audacity to send a message from his circle to their gracious Queen, admonishing her that the Crown of her ancestor was kicked into the Boyne, and warning her that the same might be the fate of her Crown if she assented to the disestablishing of the Church and the withdrawal of the State revenues. He cited these seditious speeches to show that the noble Lord was not speaking merely as a prophet when he warned the House against the disaffection of the Anglican party; but, while it was true that the Episcopal and clerical agitators thus proclaimed that their allegiance to the Throne was conditional on the continuation of their stipends, he would ask any Member, no matter on what side he sat, who valued and understood the high constitutional feeling that ought to animate the Commons of England, and who appreciated the duties of a Minister and his responsibilities, was it right or was it proper for the responsible Ministers of the Crown to speak with approval of such sentiments, and to threaten that House that, if they freely exercised their privileges by removing the great monster grievance of Ireland, the skilled and active and organized clerical confederacy, whose allegiance is conditional, might proceed to open revolt? The Queen was warned by the platform orator of these societies that one Crown was kicked into the Boyne because its owner failed to support Protestant ascendancy; and, by inference, the Sovereign was threatened that her Crown might also be kicked into the nearest river if she assented to the disestablishment and disendowment of the Irish Church. Did the Minister denounce the insulting threat as was his duty? Did he not rather countenance, approve, encourage the insolent spouters of treason, and threaten you—threaten Parliament—seek to over-awe its deliberations by telling you of the probability that a great and long-deferred act of justice would be followed by the disaffection of the Orange party. The House is asked to delay— to suspend its judgment —to procrastinate. What is it asked to wait for? Is it to give time to these Episcopal and clerical agitators to cover the island with their affiliated societies, to fan the flame of discontent, to stimulate disaffection, and so to prepare for active revolt, that the Ministers who now threaten disaffection may be able to come down on some future occasion and tell that House the Church Institution, the Bishops, the clergy, the advocates of ascendancy, are in revolt—in arms; and, if you would attempt to meddle with the Church, they may enter this Chamber and sweep you hence. He would not pretend to say what amount of connection there was between the Government and the agitating affiliated societies got up by the Anglican Bishops and clergy to enable them still to retain their public revenues. There might be a more direct connection between them than some imagined; he did not say there was, but he would say that the delay urged by the Government under the plea that they should wait for the Report of the Royal Commission was, in fact, the asking to delay till the Church Institution should report, for the Church Commission was, in fact, the Church Institution. He held in his hand a circular issued by the Church Institution in August, 1867. That circular was a whip for funds to protect the Anglican Church in Ireland from the reforms which this House might deem it right to enforce. That private circular embodies the names of twenty-nine individuals who were put thus before "the faithful" as the promoters of the fund for the several steps subsequently taken to defend the Church, including the formation of the affiliated societies of which the Rev. Messrs. Ferrar and Flanagan are such distinguished members. Amongst the names are the Archbishop of Armagh, the Archbishop of Dublin, the Bishops of Meath, of Tuam, of Ossory, of Cashel, of Cork, of Kilmore, and the Bishop Designate of Derry. The circular states that—

"The recent debates on the Irish Church in both Houses of Parliament have clearly shown that one of the chief questions to be determined on the assembling of the Reformed Parliament will be the future status and position of the Church in Ireland."

It goes on to say—

> "The Church Institution have therefore determined to solicit subscriptions to a special Irish Church Defence Fund, which will be devoted to diffusing sound and correct information in all available quarters by lectures and otherwise."

[*Cheers.*] He understood those cheers; but he was not yet done with the circular. One of the applications of that fund was the founding of the affiliated societies which taught the sound doctrine of conditional loyalty, and the propriety of informing the Queen that, if she sanctioned any Act of her Parliament for the disendowment of the Church, her Crown would be kicked from off her head. Two months after this circular was issued, the Government thought it time to form their Royal Commission. They appointed nine gentlemen on that Commission; and, though they had all England, Scotland, and Ireland open to them, they selected four of the nine Commissioners from amongst the twenty laymen who, with the nine Bishops and Archbishops, constitute the twenty-nine names embodied in the circular of the Church Institution, which brought the Flanagan and Ferrar doctrines of loyalty and allegiance home to every parish in Ireland. They did not select any of the nine Bishops—that would be too indecent —but they selected the Vicar General of the Ulster province as the representative of the episcopal body, who, with the four laymen, makes the fifth Commissioner chosen from the twenty-nine promoters of the diocesan and parochial agitating circles for the diffusion of sound doctrines and the allegiance due to the Queen and the security of her Crown and person. [Colonel STUART KNOX: Dr. Ball is a Radical; he is not of us.] If Dr. Ball be a Radical, he is the Vicar General of the Anglican Primate of Ireland, and he is the man who was selected by the Primate and recommended to the Dublin University as the fittest man in Ireland, because of his ability and zeal as a Church advocate, to supplant the hon. Member who spoke last (Mr. Lefroy) in the representation of the clerical constituency of the Dublin University. Five, then, of the nine Royal Commissioners were supplied by the Church Institution; and another is the representative of the Anglican Bishops, whose names are in the Church Institution Defence Fund circular, thus giving the Church Institution and conditional loyalty party a clear majority. Is the House willing to wait for the Report of this Church Institution Church Commission? It would be just as wise and as prudent to accept at once the views of the Irish Anglican Bishops or of their reverend platform representatives. But they were told the present Church property was sacred—could not be touched — that the Church had a prescriptive title, and that Parliament or the Crown had no control, no right to interfere. The men who professed those doctrines must be well versed in the history of the Irish Church and of the national Church revenues. When Henry VIII. ascended the Throne he found all the national Church property of Ireland in the hands of the Catholics; in whose hands it had been uninterruptedly for a much longer period than it has since been in the hands of the Anglican Church in Ireland. He transferred all that he did not keep for himself or his creatures to the Anglican ecclesiastics. Mary restored the remnant of the Church property to the Catholics. Elizabeth retransferred it to the Anglicans in every portion of Ireland to which her power extended. Cromwell handed it over to the Puritans and Presbyterians. James II. restored it to the Catholics wherever his rule extended; and when William and Mary ascended the Throne they re-transferred it to the Anglicans. Thus the State exercised its power over the national revenues of the Church in Ireland by seven alterations of their destinations within about a century and a half, and each of the seven was equally sacred and immutable. But they were told that it is now really sacred and immutable, for it is now vested in the national Church. He was unwilling at this advanced period of the debate, when so little time remained and so many were anxious to take a part in the discussion, to trespass on the indulgence of the House, but so much had been said about the national character of the State Church in Ireland that he would ask permission of the House to investigate its claim to that character. He would not abuse the concession made to him, and would try to condense what he had to say on the subject. Shortly after Henry sent Browne, the Augustinian friar, to Dublin as Archbishop, he commanded him to induce the Bishops, clergy, and gentry to acknowledge the King's supremacy, and repudiate that of the Pope. A few months trial caused the Archbishop to abandon the hope of inducing obedience to the King's wishes. He wrote to say the attempt imperilled his life, and that no removal of the Papal authority in spirituals could be hoped unless a Parliament was called, and an Act passed to make it high treason for an office holder to refuse to accept the Oath of Supremacy. The Parliament was called, and the slavish assembly of the Pale passed the needed Act. Thus was the Anglican Church introduced into Leinster. He would rapidly sketch its introduction into the other three provinces. The Lord Deputy proceeded to Munster, on a missionary excursion, in the succeeding year, accompanied by a powerful army. He described his proceedings and his success in a letter to the King, and the process may be thus stated. Surrounded by his staff and his army, he summoned the Mayor and Aldermen of Limerick, the chief city of Munster, to his presence, and commanded them to take the Oath of Allegiance. The terrified corporators saw the halberts and the bayonets, and the ample facilities that existed for hanging them if they refused, and the Deputy says they took the Oath, and that he ordered the Mayor to administer it to all the commonalty, and report to Dublin that he had done so. The same day he sent for the Bishop, and commanded him to take the Oath, which he tremblingly did, and was forthwith dismissed, with instructions to administer the Oath to all his clergy. Thus in a day was Limerick converted. The details are thus given in the Deputy's letter to the Royal Master. Munster, through its capital, had thus been converted in less than a week without the aid of any Church missionary, the Deputy doing some effective military services simultaneously in the district. The evangelization of Connaught, and the planting there of the Anglican Church, were not less rapid. Having battered down some castles and churches in Clare, he marched on to Galway, the capital of Connaught, and in his letter to the King from Galway he describes the process of introducing Anglicanism into Connaught. He says, in the quaint style of the day, "Like order as I took in Limerick the same I took in Galway;" and he details how he sent for the Mayor and the Bishop and administered the Oath, which, he says, they "took without grudge," and then he describes that as in Limerick, so in the capital of Connaught, he ordered the Mayor to swear his commonalty, and the Bishop to swear his clergy, and thus within about one week's time Munster and Connaught were brought to embrace the Reformation, and adopt the Anglican Faith. The Deputy proceeded within the same year to Ulster, and there he found them not so timid as in the other provinces. He was resolved; he took Downpatrick, and, anxious that the Gospel light should shine brightly in Ulster, he set fire to the cathedral as the only mode left to him of causing the Anglican Gospel to shine before the people of Ulster; and yet this church, so planted, is called the National Church of Ireland. But it was all in vain. The people would not accept it—the priests refused it, and Ireland was still Catholic. Then came James—the expulsion of the Catholics from the lands, and the plantation of Ulster. The planters were bound under the term of their deeds to plant a certain number of able-bodied men from England or Scotland, well affected in religion, on every lot they obtained. The Catholics were driven to the mountains, strangers were imported, but even yet the Anglican Church did not take root. Cromwell came, and he adopted the terrible transplantation code under which every Catholic in Munster, Leinster, and Ulster, was driven from his home, the troopers of Cromwell planted in their homes, and their former owners driven into the wilds of Connaught. That terrible outrage on humanity is detailed in a most interesting book by General Sir Thomas Larcom, the present Under Secretary of this Government in Ireland. In it many of the details and many of the orders are given, and amongst them was one inflicting death on any Catholic who ventured to return from Connaught without a written pass. No priest was allowed to go with them, and then it was hoped that Catholicity would be stamped out. The hon. and gallant Member for Longford (Mr. O'Reilly) told the House a few nights since that the population of Dublin in 1640 was 2,000 Catholics to 3,000 Protestants. In 1651, eleven years later, the Governor of Dublin, writing to the Executive in London, says that there remained at that time in Dublin but one Catholic. There were in all, a short time before, 751, but all abandoned their priests and the Mass save the one obstinate Papist, and were undergoing proper instruction as Protestants. The right hon. Gentleman the Member for South Lancashire spoke of the gradual change of population, and he showed how the Catholics were moving in this proportion. There are in Dublin now more than 200,000 Catholics, as against this one obstinate Papist in 1651. But even the 750 conformists, coopers, shoemakers, and other artizans were not deemed to be long enough converted to be sufficiently annealed, and they were expatriated a few years after as not having conformed before a fixed date. In my own city (Kilkenny) but forty Catholics were allowed to remain under this code, and they were allowed to remain for the convenience of the Protestant ascendancy. In Clonmel but forty-nine Catholics were permitted to remain, and so in proportion with other towns; and yet we are told that Anglicanism is the national Church and is loved by the Irish people. The Irish Members who sit opposite will not have the term "alien Church" applied to the Anglican Church in Ireland. Like other planters they do not like plain language. I would remind them that the Southern planters of America cherished slavery as they cherish alien ascendancy, but did not call it by its proper name—they preferred the softer name of "domestic institution." Those in power and men in office loved that domestic institution—they cherished it—they encouraged disaffection in order to sustain it—they threatened the American States with dissolution, with Southern disaffection, as we have been threatened during this debate, if they would lay hands on the "domestic institution;" which honest men described as slavery, alien to the genius of a free nation. The Southerns believed that in the men in office they had a guarantee that revolt would succeed. They did revolt, and the South and its "domestic institution," being alien to a free people, are both prostrate in the dust.

Lord CLAUD JOHN HAMILTON said, the speech just delivered had proceeded from an Irish Protestant. But the hon. Gentleman was not a fair sample of the Irish Protestants, and if he had been the "garrison" of which they had heard so much would have long ceased to exist. The Amendment moved by the noble Lord (Lord Stanley) had been characterized as vague and indefinite, and if he had wished to meet the right hon. Gentleman (Mr. Gladstone) on his own terms he would have brought forward an Amendment of such a nature. The noble Lord had allowed that modifications in the temporalities of the Irish Church might appear expedient; and surely it was admitted on both sides that anomalies and abuses existed in the fabric of that Church, for it was to inquire into those anomalies and abuses that Lord Russell last year moved for a Commission, which was unanimously agreed to by the Conservative party, in order to place them in possession of those facts without which any sound legislation on the subject was impossible. The noble Lord had been charged with refusing to bind himself to any definite course of policy on that question; but he maintained that a Minister, speaking on behalf of a Government upon a series of Resolutions brought forward at a fortnight's notice and with such indecent haste, touching a national question of the first importance, one of the greatest problems of the age, was not bound to pledge himself beforehand, and in the absence of facts, still the subject of an inquiry, as to what he would do under future circumstances, and in face of fresh events. He confessed, however, that he was not altogether satisfied with the defence the noble Lord had made of his Amendment; but, in common with the other Members for the North of Ireland, he had had complete confidence in the Government on that matter, and he need hardly say that that confidence had been in no way abated since they had listened to the speech of the Home Secretary. Much exaggeration and misrepresentation had for years been practised on the subject of the Irish Church, and, unfortunately, not without effect on the minds of the English people. When the Synod of Cashel in 1172, which was both a national and an ecclesiastical council, accepted the supremacy of Henry II., that King confirmed the revenues of the Irish Church, which from that time forward was joined to the Church of England. In 1560, when Henry VIII. shook off the Papal authority, the Irish people asserted the supremacy of that Sovereign, and in the reign of Elizabeth they gladly accepted the Reformed Ritual, from which period commenced the existing United Church of England and Ireland under the supremacy of a Protestant sovereign. It was not true that any property to which the Roman Catholics had an original title ever passed into the hands of the Established Church in Ireland at the time of the Reformation. At that period all the property of the monasteries passed into the hands of lay proprietors, but the Reformed Church had none of it. The right hon. Member for South Lancashire said that Church had not answered the purpose for which it was established—the conversion of the population; but, even assuming that to be so, it was not the fault of the Church, but of the disastrous policy of the State to which she was allied, which in former days hindered her beneficent work. The Celtic language was discouraged; and from the Reformation to the battle of the Boyne no version of the Bible in that tongue existed, while all that time the agents of Rome were busy among the people. The right hon. Gentleman opposite had endeavoured to prove that the Establishment had overlaid the life of the Church, and said that the recent endowments, building, and restorations of churches in Ireland were few and far between; but during the last twenty years, in the diocese of Derry and Raphoe, no less than £50,000 had been contributed for building, repairing, and restoring churches, besides £1,000 per annum for their endowment. That property could not be taken away by the State without adding robbery to sacrilege. It had been said the clergy had had in their hands for the purposes of conversion a social leverage which it was difficult to estimate; but it was not at all difficult to estimate the amount of odium they would have incurred had they used that social leverage for proselytizing objects. The speech of the hon. Member for Birmingham (Mr. Bright) contained a fallacy so gross that it was advisable to correct it immediately. The hon. Member stated that for all practical purposes the number of Episcopalians in Ireland could not be reckoned as more than 500,000; but in the religious Census Returns of 1861 it appeared that the adherents of the Established Church were 693,000; the Methodists, who had in all previous Returns been included with the Episcopalians, because they always went with them, were 45,000; the Presbyterians, 523,000; and other Dissenters, 76,000; making a total Protestant population of 1,337,000, and giving the outrageously liberal present to the hon. Member of the 337,000, it still left 1,000,000 in favour of the Establishment, because it was notorious that not only the Methodists, but three-fourths of the Presbyterians, were friends of the Established Church. [Mr. Bright: No, no!] I say, "Yes, yes!" Look to the petitions which have come to the House. [Mr. Bright said, he had spoken not of Protestants but of Episcopalians—of persons in connection with the Established Church.] The hon. Gentleman said that not more than 500,000 Protestants were in favour of the maintenance of the Established Church; but instead of that number there were in reality 1,000,000, and 1,000,000 not living in a corner or residing in Birmingham or Manchester, but spread over the whole country, and forming the most enlightened portion of the community. It had been said that the people of Ireland objected to the Established Church. Now, he knew something of the people of Ireland, and it was his firm conviction that a majority of them did not object to the Established Church. He knew many Roman Catholic gentlemen of position and standing who were decidedly in favour of the maintenance of the Established Church, and he had on Monday last presented a petition to that effect, signed by upwards of 1,200 persons, among whom were many Roman Catholics. It was not difficult to know from whom that Motion proceeded. A Church establishment was incompatible with democracy; and therefore the hon. Member for Birmingham, at present the director of the tactics of the Liberal party, might wish to overthrow the Church. Then came the Liberation Society, the atheists and philosophers; next came the weak-minded and vacillating, who, although real Churchmen, were easily misled by the promises of unscrupulous politicians; and last of all, but not least, came the Roman Catholic hierarchy headed by Cardinal Cullen, a Jesuit in the midst of Jesuits. That strange, incongruous, and anomalous body were bound together by an unholy bond for an unhallowed purpose; they had thrown off the mask; but the friends of the Church, fortified by a sense alike of the justice and expediency of their cause, were ready to meet them; and he for one, as long as he had the honour of a seat in that House, would never desert that cause. Their present position might be described in the following passage:—

> "On us this day has fallen—and we shrink not from it, but welcome so high, glorious, but arduous, a duty—the defence of the Catholic Church in Ireland as the religious Establishment of that country."

Whose words were those? They were the words of a former student of Oxford — of William Ewart Gladstone. The fall of that Church would not satisfy the people of Ireland. It would not satisfy those who had signed the other day the declaration of Limerick; for that which they demanded was a repeal of the Union. It would not satisfy the Protestants of the North of Ireland to be robbed of all they held most sacred by the votes of Englishmen and Scotchmen, contrary to the wishes of a majority of the people of Ireland. ["No, no!"] Did the House believe that after that act of spoliation they would look with respect upon the poor remnant of the great compact between the two countries? He said that if they outraged the feelings of the loyal people of the North there was no saying what they might do. And what would be the immediate effect of the adoption of that Resolution? Ireland was at present more prosperous and tranquil than she had been for the last four years. Fenianism was almost stamped out; and the people were contented with a popular and impartial Government. Their dormant loyalty was aroused by the approaching visit of their future King and Queen. But at that very moment, when they had reason to hope for a new era for Ireland—an era of peace and contentment—the right hon. Gentleman threw among them his apple of discord, his firebrand of contention. The hon. Baronet the Member for Clare (Sir Colman O'Loghlen) wished that Her Majesty should have a residence in Ireland; but would the destruction of the Church, which Her Majesty had sworn in her Coronation Oath to maintain, afford her an inducement to go and live in Ireland? And who was it that proposed to commit that great wrong? Why, the majority of seventy elected to serve and support the great Lord Palmerston, whose very name was a safeguard against violence and revolution. The shade of that great man, if he could look down upon their proceedings, would be amazed to see the man whom he had so long known as a Colleague leading the first attack upon the most sacred, the most vital, and the most revered part of our great and ancient Constitution.

Mr. OSBORNE: Whatever differences of opinion may exist in this House as to the question before us, I think that every Gentleman, on whatever side he may sit, must be rejoiced at the rising talent that has been displayed in this debate. I think no one could have listened to the speech of my hon. Friend and representative the Member for the county of Tipperary (Captain White) without thinking that a very good and promising Member has been added to this House. I will go further, and say that no one could have listened to the clever, bold, but, as I believe, somewhat indiscreet speech of the hon. and gallant Officer who has just sat down, the son of the Lord Lieutenant of Ireland, without coming to the conclusion that, however the Irish Church may be in danger, this House, at all events, reaps the benefit of much rising ability. No man who has been long connected with or who has been long resident in what is called the sister country but must confess that the noble Lord the Mover of the Amendment was correct when he stated that the ecclesiastical arrangements of that country are in anything but a satisfactory state. Sir, I have no recent conversion to explain; and although late events have gone on with a velocity which has left me almost a comparative Conservative, still I think we may take some credit to ourselves that by Motions brought forward in earlier times we have encouraged those Members to come forward who have hitherto been rather laggard in the race of Church Reform. I have many times brought forward this question without contemplating such enormous changes as are now proposed; and, if I was not called a philosopher or an atheist, I was at least regarded as a revolutionist. I proposed merely to reform the Irish Church — to reduce her revenues—to make that Church congregational and not territorial. And how was I met? I was told by hon. Gentlemen on the opposite side that I was endangering the Church, and by my new coadjutors below me that it was not the proper time for such a proposal. Well, Sir, we have now got these Resolutions before us, and most important Resolutions they are; and so great is the stake involved, and so momentous are the interests in question, that I should regret if this House came to a division on merely party grounds. Sir, I agree with my hon. and learned Friend below me, the Member for Sheffield (Mr. Roebuck), who was formerly my instructor on the Irish Church, that so great a question as this ought not to be made the subject of a mere tournament of party. Hitherto we know Ireland has gained very little by these party Votes. She has, in fact, been sacrificed to the convenience of this House. What has happened? We have had great debates in past times on this and many other subjects; great issues have been decided here, but very small results have been attained for Ireland. The air on that (the Ministerial) side of the House, particularly on the Government Bench, has been most relaxing to Liberal politicians; the ancient Whigs, always so wakeful in Opposition, were somewhat given to nod in Office. This question has been brought forward and debated many times in this House; it has broken up parties; it has dissolved Cabinets; it has never failed to make a great field-day for the discharge of a quantity of blank rhetorical cartridge; and when it has served the purpose of the hour it is put by in the magazine of political combustibles, and Ireland, after looking on, supposing measures were about to be brought in for her pacification, finds herself left in the lurch, with the miserable reflection that she has merely been used as the occasion for a party struggle. Well, Sir, I am a party man. I am not without my ambitious hopes; but I place party and ambition immeasurably behind this question, and I would not, for one moment, put my ambition or my hopes by the side of the well-being or the welfare of Ireland. Therefore, I say that, whatever may happen in this debate, my object in taking part in it is not to disturb those Gentlemen from the Ministerial Bench, or merely to advance this question by putting the Opposition there. The right hon. Gentleman the Member for South Lancashire, in bringing these Resolutions under our notice, touched very lightly on the conduct of the Liberal party in the management of this Church question. I, Sir, am not very solicitous to define the conduct of the late Liberal Leaders; consistency, we all know, at this time of day has become a sort of amiable weakness. No man looks upon it as of any value. Even my hon. and learned Friend the Member for Sheffield (Mr. Roebuck), who described himself to-night as an imperious Englishman, has not been quite consistent in the arguments which he has held upon this subject, and I must say that if I thought as the hon. and learned Member for Sheffield thought upon this subject, I would give a directly opposite vote to that which he proposes to give. But, Sir, I am surprised the hon. and learned Member commenced this evening's discussion by saying that, though the Church was the badge of conquest—[Mr. ROEBUCK: No, no!] The hon. and learned Member said the Norman Church was the badge of conquest.—[Mr. ROEBUCK: No; the Catholic Church.] Well, then, if you said so to-night, what did you say in 1849? I am glad, Sir, that you did not call upon me sooner in the evening, as I have had time to go into the Library to refresh my recollection of a speech made by the hon. and learned Member for Sheffield in 1849. What did he then say about "the badge of conquest?" Mark you, he was not speaking of the Catholic Church, and here is what he said—

> "The Irish Protestant Church, as a badge of slavery, must be and will be utterly put down. The national feeling of Ireland is influenced by a sense of injury and of oppression; if you wish to tranquillize Ireland you must remove the badge.',

But the hon. and learned Gentleman has been "educated" since then. The schoolmaster has been abroad, and he now finds it is not the Protestant Church, but the Norman Catholic Church that is the badge of conquest. I leave the hon. and learned Gentleman there; he has seen much and gone through many changes; but how he will reconcile his speech with his vote remains for his constituents at Sheffield to see. [Mr. ROEBUCK: Hear, hear!] But I deny that the Liberal party have ever been indifferent to this subject. The Liberal Leaders left the Liberal party in the lurch; but, Sir, from the time of Mr. Hume—who was the great pioneer, not only in this but in every other question which has come before and been passed by this House—the great bulk of the Liberal party has always been faithful to its colours on this question. We have always been told to wait till the proper time comes. But it came in 1833, and in 1833 the Liberal Leaders brought in their celebrated Act. And what did it do? It abolished ten Bishops, varied the taxation on certain benefices, and formed the Eclesiastical Commission. It was a most crude and undigested project. All the anomalies remained; Bishops remained with large salaries and few duties; no care was taken to inquire into the population to see whether there was a Church population in any given district; the fact was that the Bill of 1833 was altogether incomplete, and was passed to answer a temporary requirement not for the benefit of the people of Ireland, but to give security to the Irish Establishment. The measure was never intended to be final. Then came the Appropriation Clause. How was that treated? After five years of constant majorities in this House, majorities which maintained the Church of Ireland as it stood was an injustice, and that its surplus revenues should be appropriated to local purposes in Ireland, what was done? The Whigs got into office, the question was put by on the shelf and remained there for many years. In 1849 I brought this question to the notice of Parliament; in 1856 Mr. Miall, and in 1863 and 1865 the hon. Member for Swansea (Mr. Dillwyn) also brought this question before the House, and we were then told that the time had not come to deal with the Irish Church. My right hon. Friend the Member for Oxford (Mr. Cardwell) opposed those Motions most vigorously; and an hon. Friend of mine (Sir Robert Peel) who is as remarkable for his talents as for his consistency, completely upset the Liberal party by a speech which he made under the Palmerston Government. Now we are called on to vote for these Resolutions in a party spirit. Sir, there are two distinct questions involved in these Resolutions. First, the question of disestablishment, and next the question of disendowment. I state that these are totally distinct questions. It has been remarked by a writer on the subject that men are so apt to confound their spiritual convictions with their personal interests that an attack upon the property of a Church is always more apt to cause irritation than an attack upon its doctrines. Now, I shall decline altogether to discuss this question as a mere money question, My opinion is that money is quite a secondary element in it. The Protestant clergy of Ireland—and I speak with some experience of that country from having resided there many years,—are not unpopular on account of the tithes they get. On the contrary, the Protestant clergy, so far from being objects of dislike to the people, are objects of pity. And I will tell you why: I do not go with hon. Gentlemen below me or with hon. Gentlemen on the other side of the House who take what I call the "country gentleman" line of argument. If they knew as much as I do, they would know the Protestant clergy of Ireland are not capable of acting as country gentlemen. They are a pauper clergy, who have enough to do to maintain their large families. It is true, they have no congregation; but it is equally true that their incomes are so small from the multiplication of small livings and curacies that, so far from being able to act as country gentlemen, they are miserably paid. The worst feature of the Irish Church is an unequal distribution of labour and income. The policy of the Bishops of the present day is, without respect to the congregations, to get as many clergy in the different dioceses as they can, and then they say, "Look at the increase of the churches." But who pays for the increase? It comes out of the Ecclesiastical Fund. The money granted by the Ecclesiastical Commissioners has increased; the clergy and the churches have increased; but have the congregations increased? Not by one man. I am not fond of statistics; but I will just show the House what is the spiritual staff which is in full vigour for these 693,000 Episcopalians. There are 2,428 parishes and 1,510 benefices, the latter being formed by uniting parishes together; and for these 693,000 persons what do you suppose is the staff that is kept up? Why, first of all, there are twelve Bishops, with incomes amounting to £55,000 a year. I include the two Archbishops; but, of course, there ought to be no such things as Archbishops. Very well-paid men these Bishops are. If you want reform, do not begin at the wrong end, with the unfortunate clergy; but cut down with an unsparing hand these men who are feeding sumptuously every day. These twelve Bishops have thirty-three deans, thirty-four archdeacons, twenty-six precentors, twenty-two chancellors, nine canons, 178 prebends, 1,510 beneficed clergy, and 457 curates. Why, Sir, at this rate, there ought to be 240 Bishops in England; for a single English diocese contains as many Protestants as the whole of Ireland. And further, the 4,000,000 Roman Catholics in Ireland have only 3,000 ecclesiastics, and their congregations not only maintain these, but build and support their own chapels. Now, will any educated man in his senses say that this is a state of things which ought to exist for one minute in a civilized country? But the best proof I can give of the state of the Irish Establishment, and of the necessity of a larger reform, is by referring to the diocese in which I reside. The diocese of Waterford, Lismore, Cashel, and Emly, contains less than 14,000 Protestants. These four dioceses were rolled into one in 1833, because congregations could not be got, and this bishopric numbers 13,853 Protestants. I will give them the benefit of even numbers, and call them 14,000, for I do not wish to be accused, like the hon. Member for Birmingham (Mr. Bright), of suppressing Protestants. Of these 14,000 Protestants, I am a humble unit. There is a Bishop kept for me, with £4,400 a year, a dean and chapter, 106 beneficed clergy ,dividing £31,000 a year, and 40 unfortunate curates, who are paid only £3,414 amongst them. Thus, for these 14,000 Protestants, there is an expenditure of £3 a head. These are figures which cannot be controverted, and the diocese of Killaloe is very nearly as bad. Indeed, there is no diocese in Ireland where you can make out a moderate case for supporting a Bishop, dean and chapter, cathedral, and so forth. With such a state of things before us, is it enough for the right hon. Member for Oxfordshire (Mr. Henley) to get up and talk in the old Tory vein about illegality and unconstitutionality? I now come to these Resolutions, and no doubt they are very strong. Nobody—least of all myself—could have imagined, after the way in which I had been opposed by the Members on that (the front Opposition) Bench, that I should find myself dragged on at their tail at this enormous pace. But how have they been met? I must say I have been very much disappointed at the course which has been pursued on the other side. I am not one of those who are in the habit of casting taunts at a successful man, and I have certainly never heard the present Prime Minister utter an illiberal sentiment or commit himself to the bigotry of any party. I was, however, greatly disappointed at the enunciation of his policy at the beginning of the Session, and still more disappointed at the unpardonable vagueness of the Foreign Secretary. "Unpardonable vagueness" was the term employed by his Law Officer. I may take this opportunity, too, of saying that I condole with the right hon. Gentleman on his Law Officers; for I certainly think they have done his Government more harm by their defence than any attacks that have proceeded from this side of the House. The argument of the noble Lord (Lord Stanley) forcibly reminded me of the old play of *Richard the Third*. The King asks—

> "What says Lord Stanley? Will he bring his power?"

And the Messenger answers—

> "My Lord, he doth deny to come."

Now, what said this "Defender of the Faith," the Foreign Secretary? Why, he said he could not defend the Irish Church; but that this was an electioneering manœuvre. He said it was the scandal of the time; but he reserved his opinion what he would do. In fact, Sir, almost in the words of his great prototype and namesake in Shakespeare, he said to this side of the House—

> "Prepare thy battle early in the morning. . .
> I, as I may—that which I would I cannot—
> With best advantage will deceive the time,
> And aid thee in this doubtful shock of arms.
> But on thy side I may not be too forward."

The noble Lord says, "That which I would I cannot," and whether he intends to join the camp of the aspiring Richmond or leave the last of the Plantagenets, no man in this House, I venture to say, can really tell. Well, who succeeded him? Why, he was succeeded by a right hon. Gentleman (Mr. Hardy), whose great power and manly tone all must acknowledge. He rallied his party round him; but he did so by the utterance of those old Tory sentiments, which I thought had been buried long ago with the hon. Member for Warwickshire (Mr. Spooner) in Kensal Green Cemetery. The right hon. Gentleman told us that we ought not to be in a hurry. He was not going to do anything — he was not to be hurried. "The glorious light of the Reformation" — we knew all about that. It was a beautiful passage; but we were to wait and see what is in the Church Commission. Now, that Commission has always been put on the shoulders of Lord Russell, who certainly has done as much mischief in his time to the Liberal party as any man. One word upon this system of Government by Commission. The hon. Gentleman below me, the Member for Rochdale (Mr. T. B. Potter) says the Government sins are sins of Commission; and so they are; but I must say that this system of governing by Commission is an abnegation of all responsibility in Parliament. I heard with considerable alarm, the other night, the announcement of the Chief Secretary for Ireland that he was about to issue another Commission, which he called "a solemn inquiry" into the land tenure of Ireland. Now, what will be the natural consequence of issuing a Commission at the same time that you bring in a Bill? You will create perpetual irritation in Ireland; you will give rise to illusory hopes, and the Bill will not be looked upon as a final settlement. This by way of parenthesis; but what about this Commission? Lord Russell has had to answer for a great deal; but he certainly suggested something else. He proposed to enlarge the powers of the Commission, so that they might inquire how far the revenues of the Established

Church could be more equitably applied for the benefit of the Irish people; but that was denied; and what is this Commission sitting for? Has it anything to do with the benefit of the Irish people? No; it was issued, and is about to report, merely for the benefit of the Irish Church and its congregations. When, therefore, we are called upon to await the Report of the Commission, I say the whole thing is a solemn inquiry which will end in a solemn farce. What is the composition of this Commission? There are nine Members, and five of them are already pledged against any material reform in the Irish Church. We all remember Sir Joseph Napier, when, as Mr. Napier, he sat for Dublin University; and we know what speeches University Members are in the habit of making. We all know what a desperate adherent of the Irish Church he was. I could read passages from his speeches which would make your hair stand on end, and which Mr. Flanagan himself, as quoted by the hon. Member for Kilkenny (Sir John Gray), could not outdo. Not content with making speeches in this House, Sir Joseph Napier is also chairman and a subscriber to what is called the Church Defence Fund of Ireland. There are three other Members of the Commission who are also subscribers, and I contend that it was most unfairly and improperly constituted. The hon. Member for Kilkenny, as I came in, took exception to Dr. Ball being upon the Commission. I certainly could not agree with him there, for Dr. Ball is one of the best men who could be appointed; he is a fair and impartial man, and was brought forward by my right hon. Friend the Member for Tamworth (Sir Robert Peel) as the Liberal candidate for the University of Dublin. But, on the whole, I say if we are to wait for the Report of this Commission, we shall wait for what will be a mere shuffling of the revenues of the Church among themselves; no real reform, no cutting down of the Establishment. Therefore the argument that we should wait for this Report is one that cannot, and ought not to be, cogent with this House for one moment. What other arguments have we heard in defence of the Church as at present constituted—this Protestant Church which the hon. Member for Sheffield thought was a badge of conquest? [Mr. ROEBUCK: No?] But formerly you did. There is another argument which I have not heard during this debate, but which formerly found favour among hon. Gentlemen opposite—that the Irish Church ought to be looked upon with great respect, because it is undoubtedly the original Church of St. Patrick. Surely at this time of day we shall not have such antiquarian pedantry brought forward, St. Patrick himself being—according to Dr. Todd—a person of whom there is very great doubt whether he ever existed. Very great doubt indeed. As to who or what he was, Dr. Todd is very dubious. We are not discussing this Church upon pedantic grounds. We have got to do with the Church as it is. Everybody knows that the original Church of Ireland had no such thing as tithes or parishes; it was more of an oriental Church, with an infinity of Bishops. Nobody knows exactly what the Irish Church was; but it certainly was very different from what it is now, and, I, therefore, put it aside altogether. Then comes another consideration, which is said to be of greater importance. The Act of Union, it is urged, forbids interference with the Church. I cannot understand anybody at this time of day getting up and saying the Act of Union is to prevent us from passing a great measure for the amelioration and contentment of Ireland. Why, what was the Act of Union? A fraudulent bargain, in which the Protestant aristocracy were bought and Catholic masses were sold. Can any argument more powerful for the destruction of the Act of Union be advanced than to say that, as long as it remains on the statute book, it is to prevent your bringing forward any measure of justice to the people of Ireland? But we are told that the 5th Article of Union is the one of special efficacy. We all know what that 5th Article is; it is the one which says that the faith, discipline, and government [An Hon. MEMBER: Doctrine.] of the Irish Church is to be for ever one with the English Church. How is the 5th Article of Union to be more stringent upon this House than the 4th? Yet the 4th, which undertook to define the number of Members which Ireland should send to this House, was altered in 1832. It was altered for the benefit of the Irish people. Why should not we be equally at liberty to alter the 5th for the benefit of the Irish people? It is a fatal argument towards the Union to say that it prevents you from doing justice to the Catholic people of Ireland. Lord Lansdowne, in "another place," asked this question—Was he to understand that the Established Church existed for the benefit of Ireland, or Ireland for the benefit of the Established Church? That is the question to be answered in the division to which we shall go. I will not weary the House by going into any distinctions—though I could go into them at length, for I have taken some pains upon the subject—by going into distinctions between ecclesiastical and private property—to meet the hobgoblin arguments which are always brought forward to alarm landowners. All the great lawyers who have spoken upon this subject have always drawn a great distinction between corporate and private property. Dr. Arnold has a celebrated passage on this subject; from Sir James Mackintosh and Brougham I could quote probably fifty extracts on this point. Lord Macaulay says—

> "Church revenues are partly public and partly private; an advowson coming into the hands of an individual seems to be as much his property as his house."

I cannot understand these arguments being put forward at this time. They have always done duty on these occasions, to be sure. They did duty at the time of Catholic Emancipation, and they did duty so lately as the year 1853, when Lord Aberdeen's Government brought forward the Clergy Reserves Act of Canada, giving the Canadian Parliament power to deal with the clergy reserves in that colony. We were then told that we had no power to deal with the matter—that we could not interfere with the sacred union between Church and State. But what was the wording of that Act?

> "To make better provision for the appropriation of moneys arising from lands known as the clergy reserves, by rendering them available"—what for?—"for municipal purposes."

And the 3rd section of the Act begins—

> "Whereas it is desirable to remove all semblance of connection between Church and State"

I am not far enough advanced for that; I never attempted, I never have wished, to remove all connection between Church and State. But when you talk of the United Church of England and Ireland, does not any one who resides in that country know that the name is a mere Parliamentary fiction — a legal phrase — that there is no such thing as a United Church? I hear a great deal of this body of loyal Irish Protestants, well-to-do gentlemen, who are very loyal as long as you keep up their Church for them. I do not know about the North of Ireland; but in the South of Ireland, who are your Irish Protestants there? They are for the most part the descendants — respectable descendants — of an aristocracy, consisting originally of Cromwell's troopers and trumpeters. And these respectable gentlemen, whose ancestors in other days, not only derided episcopacy, but destroyed the monarchy, are now high Conservative gentry. I cannot say that they have any particular reverence for the Thirty-nine Articles; I do not think they know what they mean; but they drink the "glorious, pious, and immortal memory," which is the one great article of their creed. And then we hear that this is the United Church of England and Ireland. I must say that one of the great inconveniences of the present state of political feeling in this House and the country is the system of what I may call gambling in Liberal stock. One Minister is perpetually outbidding the other, till all moderate measures are rendered impossible, all compromises untenable; and moderate men who wish to lead a quiet life, and to see gradual progress, are left comletely behind. Now, while I go with the right hon. Gentleman (Mr. Gladstone) in a desire to see the Established Church disestablished, I agree with the noble Lord who moved the Amendment — the noble Lord the Secretary for Foreign Affairs, who has been so unhappy about home affairs—I agree with him that that Establishment is a mere empty title. Can you do nothing to remedy this without rushing to extremes? You have got at present twelve Bishops. You see what the population of Ireland is. Why not at once, without waiting for the Report of any Commission—for we have quite evidence enough—cut down the number of bishoprics to four? That was the number proposed in 1849, by the present Vice Chancellor of England, Sir William Page Wood. [An hon. Member: Lord Justice.] Cut them down to four, one for each province. He proposed to give them each £1,500 a year: I will go further, and give them £2,000. I will tell you why I take that limit. You have in this country an instance of a Bishop with a population of 52,500 — the greater part of whom are Churchmen — with an income of £2,000 a year, and no seat in the House of Lords —the Bishop of Sodor and Man. He has only one archdeacon. Why not model your Irish Church, if you can re-model it, after the fashion of the Bishopric of Sodor and Man? Why should any Irish Bishop be better off than your Bishop of Sodor and Man? Cut down your twelve Bishops to four, and I will show you how you can arrive at a very handsome surplus. [An hon. MEMBER: What would you do with the Archbishops?] I propose, of course, to do way with the Archbishops. Then, as to deans, and chapters, and archdeacons, that have nothing positively to do, why not reduce all these, and cut down your clergy to the real wants of the congregations, bringing them down to, say 500? [An hon. MEMBER: Too late!] I hear an hon. Member saying "Too late!" but you may depend upon it that we have an enormous work before us. Some hon. Gentlemen seem to think that this question of the Irish Church is to be disposed of by a Vote to-night or to-morrow morning. Why, Sir, I expect this business will last during our life-time. I calculate that the surplus which you might gain from the measures which I advocate would at least amount to £300,000 a year. You may ask me very fairly what I would do with it. I will not follow the example of my noble Friend the Secretary for Ireland, who just hinted what he would do. I have no objection to state my view, though my doing so may very probably cost me a contest. In the first place I view the change with considerable hesitation; knowing Ireland as I do, and knowing the poverty that exists there, I hesitate to come to any Vote that would withdraw £30,000 a year from Maynooth and take away the *Regium Donum* from the Presbyterians without hearing better reasons for so doing than I have heard yet, and no reasons have been given for that yet. You English Members know so little of Ireland that you go upon hard, broad, and philosophic principles which are disgusting, especially to the Irish; but I would have you to learn that by leaving these people to their own efforts you may produce an ill-will and a feeling of injustice in that country which it will be difficult to allay. What can be more contradictory and unphilosopical than your whole system of governing Ireland? Take the machinery of the Church. Talk of it as a missionary Church! Why, the only mission in that country is one for which the Established Church can claim no credit. The missions in Galway and in other parts of the West of Ireland are voluntary missions from this country, and not missions of the Established Church. I understand that for those missions about £26,000 a year is sent from this country. At the same time that this missionary Church of the Establishment is to convert all the Roman Catholics, this House votes many thousands each year for educating Roman Catholics. What can be more contradictory than your whole system of governing Ireland on philosophical principles? There was one man who probably understood this question better than any one, and what he said in 1792 applies exactly to the present day, and I ask English Members to give ear to this. In a letter to Mr. Wyndham, Mr. Burke said—

"In England the Roman Catholics are a sect; in Ireland they are a nation. This fundamental difference must affect every reason and every measure concerning them."

And he then goes on thus—

"It is a terrible thing for Government to put its confidence in a handful of people of fortune separate from the rest. A full levy is not a complete garrison, nor the disarmament of a province the destruction of disaffection."

And yet we are arguing as if the Roman Catholics were a mere sect, and were not inheritors of a national feeling. Well, it may be said that the Government are waiting for a policy. They are waiting till their Commission reports. Sir, the First Minister of the Crown, in probably one of the greatest speeches ever delivered in this House, gave a true account of the state of things in Ireland, and though he has recently described that speech as "heedless rhetoric from below the Gangway," he acknowledged one thing which I am glad to hear from him. He observed that whatever he might have said in that speech, the spirit of it was right. I am not going now to repeat the trite quotation of the right hon. Gentleman's epigrammatic saying about an alien Church. In the speech, the spirit of which he still says was right, he said—

"The greatest cause of misery in Ireland was identity of institutions with England; the very primary and most important institution of all—the union of Church and State—was opposed by the Irish people. He ventured to lay down as a principle that the Government of Ireland should be on a system the reverse of England."

We now come to policy, and this is no heedless rhetoric. If those Gentlemen below the Gangway could only speak like this now! The right hon. Gentleman said—

"His principles were Tory, the natural principles of the democracy of England." I believe it. He further said—"They might not be the prin-

> ciples of those consistent gentlemen whose fathers had bled in England for Charles I., and who would now support in Ireland the tyranny established by Oliver Cromwell. Let them recur to the benignant policy of Charles I., then they might settle Ireland with honour to themselves, with kindness to the people, and with safety to the realm. The Church question would be settled, he had no doubt, upon principles analogous to those which were laid down by a great statesman in 1636."

What were the principles, and who was the great statesman of 1636? The principles were those embodied in the Glamorgan treaty in 1644. It was a treaty which no one ever heard of. It was made secretly—is one which Charles I. entered into with the Irish Catholics through Lord Glamorgan. It was made "for ever," too, like the Act of Union. The 1st Article of that treaty states—

> "The Roman Catholic clergy of said kingdom shall, and may from henceforth for ever, hold and enjoy all and all such lands, tenements, tithes, &c., whatsoever by them respectively enjoyed within this kingdom, or by them at any time since 23d October, 1641, and such lands, &c., belonging to the clergy within this kingdom, other than such as are actually enjoyed by His Majesty's Protestant clergy."

That was the policy recommended by the right hon. Gentleman in the speech of which he says the spirit was right. I ask him, then, why he will bind himself to a policy which he knows in his heart to be wrong? Why will he bind himself to the Establishment of this Church and State, when he knows that it embroils Ireland, and prevents any substantial union between the two countries? But it may be asked, "Will the disestablishment of the Church bring peace to Ireland?" The misfortune of all your remedies—of all your measures for the pacification of Ireland, is, that, they have been passed too late. The consequence is, the difficulty has become so complex, that by no one single measure can you hope to pacify Ireland immediately. You may talk about Fenianism. There is but one class in the country interested in keeping things as they are—and that is the Fenian conspirators. So long as you deny justice to Ireland you will have Fenian sympathizers; and the people who will encourage those who would like to see this Motion thrown out, and nothing done to Ireland, are these very Fenians. I do not think that this or any one measure would pacify Ireland. Time alone; just and impartial measures only will do that. The sins of the fathers are descending to the children. But this I know, that however delay may suit the exigencies of a Government, it is disastrous to the well-being of a nation.

Sir STAFFORD NORTHCOTE: No one can have listened to the speeches made on the other side during this debate without feeling that, at all events, by most of the various speakers, two objects have been held in view. The primary object of these Resolutions and of those who have spoken in support of them has been to rally the Liberal party and put out the present Government. The secondary object has been to pass Resolutions for the disestablisment of the Protestant Church in Ireland. I must indeed except from my description some of the speeches to which we have listened to night, delivered by hon. Gentlemen opposed to our views. I except particularly the speech of the hon. and learned Member for Sheffield (Mr. Roebuck) and the speech we have just heard from the hon. Member for Nottingham (Mr. Osborne). Theses speeches, though we may find much in them to disagree with, have, at all events, been speeches addressed to the merits of the question nominally before us. But I think no one can have failed to observe—especially no one who heard the speech delivered in the early part of the evening by the right hon. Gentleman the Member for Calne (Mr. Lowe) — that very great stress is laid on what is assumed to be inconsistency and weakness in the position of the Government, and on the course taken by this or that or the other Member of the Ministry, and that this has been made quite as much the question as that which is nominally before us. Now, we who have been for some time in this House cannot complain if our opponents seek a suitable occasion to rally their party and bring about a change of Government. Nothing, indeed, can be more legitimate or more natural; and it is no matter of complaint on our part that, if they think that can bring about such a change, they should select a subject on which they are of opinion their party is likely to be united. I venture, however, to say that when the battle-field which they have chosen is one of such enormous Imperial importance as this, and when it involves interests of such great magnitude, it was the duty of those who chose that battle-field to consider at all events the nominal subject they brought forward for discussion in a more respectful and a more serious manner than the framers of these Resolutions have done. We have no objection to a great party struggle, nor have we any objection whatever to meet hon. Gentlemen opposite on the Question of the Irish Church. We are not surprised to find them differing from us with regard to the position and the future of that Church; but we do say that it is not consistent with their duty to their country that they should come forward and raise an important issue like this unless they are prepared to raise the issue in a manner which admits of its being fairly tried, and which will enable the country fairly to appreciate this serious question. For many years, according to their own confession and in their own defence, they have been telling us that they abstained from bringing forward this question—which has certainly been as important for many years past as it is now—because they were conscious of the great difficulties that beset it, and because they felt they would have been doing wrong if they raised so vast a question when they had not the mean of settling it. On their own showsing, therefore, they fail in their duty if they now come forward and raise the ques tion unless they are prepared to settle it. I venture to say that these Resolutions have been constructed, not on the principle of finding a solution of the Irish Protestant Church question; but upon the principle of drawing them up in such a manner that they shall contain a minimum of that which need be raised for the purpose of upsetting the Government — that they shall contain just as much as it is possible or probable the Government will not be able to accept, and yet not contain anything which may raise difficulties among their own party. That, no doubt, is a very good system of tactics; but the House ought well to consider those tactics before the division is taken. This system has been adopted for more than twelve months in reference to this subject. We have heard something about the origin of the Commission which is now inquiring into the condition of the Irish Church. Now, what was the origin of that Commission? It was proposed by Earl Russell, the Leader of the Liberal party. Notice was given of his intention to bring forward a Motion for a Commission in precisely the same terms in which the Commission has been granted. Perhaps we may be uncharitable, but we may, without any great want of charity, be allowed to conjecture that the noble Earl in giving that notice may have thought he should thereby cause some little embarrassment to the Government when the question was brought forward. For three weeks the notice stood upon the Notice Paper of the House of Lords; but within two or three days of the notice being actually brought forward, it appeared that, in some way or another, the noble Earl had discovered that the Government were perfectly prepared to issue such a Commission as he proposed. The Government had no objection to it; and they have repeatedly stated during the progress of these discussions that is was in entire conformity with their views to institute an inquiry into the present position of the Irish Protestant Church. When Earl Russell learned the determination of the Government, what did he do? He changed the terms of his Resolution, and proposed that the Commission should go further than was originally contemplated, as otherwise it would not embarrass the Government, and that words should be added to empower the Commissioners to inquire into the manner in which the revenues might be appropriated for purposes unconnected with the Established Church. The Government, however, stood firmly on their own ground, and said, "No; if you ask us for a Commission to inquire into the revenues of the Church in Ireland we will give it to you; but if you ask that the terms of the Commission should be further extended in the way you now indicate, we must decline to accede to your request." Accordingly the Commission was issued in the terms originally proposed. I do not dwell much upon this circumstance; but it is, at all events, an indication of the kind of course which has been pursued on the present occasion. We have here placed before us Resolutions which are vague in the extreme. We are asked, in the first place, to consent to an abstract Resolution which anybody may agree to without asking himself the inconvenient questions which may arise thereout. The right hon. Gentleman who brings forward this Resolution has a mind so suggestive that it is unnecessary to suppose that his course has been prompted by any inspiration but his own. Yet I think that occasionally when he was Chancellor of the Exchequer Motions have been brought forward which may have suggested the course pursued by himself on the present occasion. He frequently had to contend against Motions brought forward by independent Members on questions of taxation; but he used to meet them by saying, "It may be all very well to carry abstract Resolutions against this or the other tax; but tell me how you are to make up the deficiencies in the Revenue." The hon. Members who brought forward the Motions retorted—"That is not our business, it is your business." Well, Sir, the right hon. Gentleman now treats the House according to the method in which he himself was treated by his former opponents. He says, "Let us disestablish the Church of Ireland." We say in reply, "What is to be done with the endowments?" Whereupon he retorts, "That is not my business, it is your business." Now, this is not the position in which the House ought to be placed; and if we are to discuss this question, we must do so with a fuller knowledge than we now possess of the nature of the proposals which are by-and-by to be made. And this brings me to the position which the Government have taken in regard to this matter. The Government say—firstly, that the Resolutions are objectionable; and, secondly, that the time for bringing them forward is ill-chosen. I will consider the latter issue first. We propose to challenge the House on the question of time; and if, after hearing the reasons we adduce, you decide against us on that point, we must then meet you on the Resolutions themselves. My noble Friend the Foreign Secretary, whose course in this matter has been so much impugned by hon. Gentlemen opposite, confined himself chiefly, in the first instance, to the question of time. What he said, in effect, was that the present time and the position of the present Parliament rendered it undesirable to enter upon this wide question. Although in his Resolution he has introduced words—and has defended them—showing that we do not object to consider candidly the question of any modifications which may be necessary in the temporalities of the Establishment, yet the gist and point of his Amendment is that, in the present position of Parliament it is inexpedient that the House should enter upon this question. We have been asked whether we have changed our position in regard to this matter. My reply is that our position is not changed in the slightest degree. But when we found from the speeches delivered in this House after the speech of my noble Friend (Lord Stanley) that, in consequence of his raising that issue doubts were entertained as to what our policy would be on the main question, my right hon. Friend the Home Secretary rose and explained to the House that if we were driven to the discussion of the question we were prepared to meet them in the manner which he declared to the House. That, then, is exactly our position. When the division is called for we shall be prepared to vote with my noble Friend the Foreign Secretary on the question of time, and, if defeated upon that, we shall then be prepared to go into the general question of the Resolutions. We have been taunted and blamed for disputing the competency of the present Parliament to deal with this matter; but, in reality, we have not disputed its competency to do so. If this Parliament has sufficient time, and if the matter is fairly brought before it, it is of course perfectly competent to deal with the question; but what my right hon. Friend the First Minister said on a former occasion, and what I maintain now, is that this Parliament is under very great disadvantages and difficulties in addressing itself to a question of this sort. What is it that gives to the House of Commons its great strength? It is the circumstance that it represents public opinion. When public opinion on any great question is fairly matured, and Parliament is informed as to the state of that opinion, then Parliament brings public opinion into a focus, and gives expression to it. Legislation then takes place, not hastily, but with a full knowledge on the part of hon. Members of the feelings of the people, and in such a manner that the Legislature will not find it necessary to retrace its steps. Now, what we say is that the present Parliament was elected under circumstances which did not lead it to consider this question as one that was practically or immediately important, and that hon. Gentlemen were returned to this House uninformed as to the wishes of their constituents in regard to this matter. My right hon. Friend referred on a former occasion to the address of Lord Palmerston when this Parliament was elected. On that occasion Lord Palmerston said not a word to indicate that such a question as this was likely to be raised in the present Parliament. My right hon. Friend referred also to a speech made by the right hon. Baronet (Sir George Grey) in 1865, who showed that in the opinion of the then Government it was most extremely improbable that any such question could be raised during the existence of the present Parliament. Only the other night, too, we heard a quotation from a letter written by the right hon. Gentleman (Mr. Gladstone), which showed that he also at that time took the same view—namely, that the question was not one immediately pressing, and that it was then beyond the range of practical politics. This Parliament was elected at a time when the question was not present to the minds of the English people, and it is not fair to legislate until we satisfy ourselves of their opinions. I do not say for a moment that we are incompetent to deal with a question of this sort; but if we do deal with it, considering that we have been elected, not after a long discussion out-of-doors on this question, but at a period when public discussion had not been begun, it is our bounden duty to our constituents to debate fully and fairly all the issues raised, and to enlighten the mind of the country with respect to them. You may think it a very simple thing to pass a Resolution for disestablishing the Irish Church. Many people may think it a remote question, or they may hardly know what the Irish Church is. Those who, acting on the advice of the right hon. Gentleman (Mr. Lowe), have not studied history may believe, as he appears to do, that the Protestant Church in Ireland was created at the Union. Such persons may say, "This is a very trumpery matter. We think the Church ought to be put down." But they have not the remotest idea of what this putting down may lead to. Now, what will hon. Members who hastily give a vote upon such a question say when they go back to their constituents? If the House of Commons, in spite of the advice which we tender, is determined to go into Committee and discuss this question, we will meet them in Committee, and shall be prepared to argue it. But, as the hon. Member (Mr. Osborne) said just now, "This is an enormous question," and it will take a length of time before it is thoroughly argued out. We are at the beginning of a long fight, and we have made up our minds that we shall not be doing our duty if we give up the fight before it is fairly fought out. If you take our advice—looking to the period of the Session, the amount of business we have to get through, and the desirableness of an early dissolution—you will hardly enter into the subject this Session. At the same time, if you are clearly convinced that the emergency is pressing, that the subject cannot wait, and that you are ready to deal with it, we on our part are ready to make all the sacrifices of time and of our own convenience which will be necessary for a full and fair discussion. It may be necessary, of course, somewhat to shorten our customary holidays, and prolong the Business of the House; but such questions as these will not weigh with hon. Members if we are to enter into a discussion of such magnitude as this. On one point I hope hon. Members will be determined; they will not allow this matter to be huddled up in a mere abstract Resolution, the consequences of which they cannot foresee, and will insist upon definite answers to the questions the difficulty of answering which has hitherto prevented legislation. There will be much to answer respecting questions of property, on which a good deal has been said during this debate; and much on the question of Establishment, as to which hardly anything has been said. On the first of these matters we were edified this evening by a good deal of special pleading from the right hon. Gentleman (Mr. Lowe) about what he called vested interests. I do not think that part of his speech commanded the attention of the House quite so much as the more interesting and amusing portions of his speech did. But I hope that hon. Members who heard it will bear in mind some of the distinctions of the right hon. Gentleman, even though we may all feel that he is not upon these points a guide whom the House is particularly likely to follow. We know that the right hon. Gentleman has peculiar opinions of his own about property. We remember his views in former days about musty charters and other matters of that sort; and we cannot expect that he will be extremely tender in dealing with vested interests. The right hon. Gentleman seemed to say that nobody had an interest in this matter unless, perhaps, it was the clergy, whom you could easily dispose of by pensioning them for their lives. As to the Church, that was an abstract idea which the right hon. Gentleman was hardly able to comprehend; and as to the laity, he said they have no vested rights, because you could not compensate them in money. The persons to be compensated are the owners of advowsons; and the laity, whose churches are to be taken away, are not to be compensated at all. The Irish Church, we are told, is an Establishment for the rich. The fact is, that it is supported by tithes derived from property which is in the hands of the rich, but applied to objects in which the rich have no greater vested interest than any other members of the congregation. The rich are, in fact, trustees for the congregation. Now, what is the position of the owner of an advowson? He, does not hold the advowson for his own benefit: he, too, is a trustee for the benefit of the laity, and it is his duty to select a clergyman who shall minister efficiently to the laity. Well, what are you going to do? You are going to take away the money now applied for the benefit of the laity in the maintenance of the clergy and the services of the Church, capitalizing the value of that money, and paying it in a lump sum to the owner of the advowson. And that is what you call respecting vested interests. Very likely the owner of the advowson may be an absentee, and the money now spent in Ireland will in that case be withdrawn from Ireland altogether. I think that when you come to discuss this question arguments such as these will not hold water. There are points which will require a great deal of discussion, and the views which are now so glibly put forward as to the compensation you will give and the vested interests you are going to recognize will be strictly criticized. Then, what are you going to do with the property of the Church? That is the great question which the right hon. Gentleman himself asked in 1865. He has not absolutely answered it now; but, so far as we can glean from his statement, the money is to be devoted to secular uses, or, as he vaguely says, to some Irish object. What in the world does that mean? There is one Irish object which we often hear of. I rather think we are told it is in the Act of Union. It is that the money should be spent upon Cork harbour. Are you going to take the property of the Irish Church, which now supports churches in Connaught or in Ulster, and spend it upon Cork harbour. Then there is an object frequently mentioned in the Committee which sat some years ago upon Irish Taxation, and that is the injustice which Ireland suffers from the high rate of spirit duties. Perhaps if the general benefit of Ireland is to be consulted in the appropriation of Church property, some of it will be applied in the reduction of the duty on whisky. This at all events is clear—you are not to give any of this money to the Roman Catholics. The right hon. Gentleman (Mr. Lowe) dislikes the Protestant Church much, but apparently dislikes the Roman Catholic Church still more. Whatever else we are to do with the money, we are to give nothing to them. The right hon. Gentleman probably judges their feelings by his own. The Protestant Church is to be stripped, and he may think that they do not care whether they get a share of the spoil or not. They are not to have any generous assistance for their Universities, for their denominational education, or for any of those objects which I believe they have at heart. "These things are abominations," we are told, "but whatever you do, take away this property from the Church, and for Heaven's sake don't conciliate the Catholics." That is what the right hon. Gentleman calls a truly Liberal policy, and I believe, in the sense in which those words are sometimes used, it is a truly liberal policy—that is to say, it is a policy of being liberal at the expense of somebody else. Ireland says, "You have injured us by bad laws, though that is a thing of the past, and we ask for some compensation." "Give us," some say, "a re-settlement of the land question." "Give us," say others, "some advantages in the matter of taxation, or in the matter of expenditure, or in grants for education." "Give us," says another section, "a denominational system of education for ourselves. Give us a University which will meet our wants." But upon all these questions the great Liberal party are greatly divided. They cannot be brought together on any of these points. All they are agreed on is this; they say, "Take away the Irish Protestant Church;" and, as in former days when two nations were about to make up their quarrel, they propose to cement their union by offering up a victim on the altar of friendship. There was one thing very remarkable in the course of this debate, and that was the difference in the tone of hon. Gentlemen opposite. Take, for example, the speeches of the right hon. Member for Calne (Mr. Lowe) and the hon. Member for Birmingham (Mr. Bright). In the speech of the hon. Member for Birmingham there was an evident desire to tranquillize Ireland, to do something which, at all events, might give satisfaction to the great body of the people. But the tone of the right hon. Gentleman the Member for Calne was quite the contrary. That right hon. Gentleman would only throw in elements of strife; he would not treat Irish dissatisfaction with soothing remedies, but rather by a method of counter irritation. He would not pacify the Catholics, he would irritate the Protestants. And then the right hon. Gentleman talked about the Establishment, and said, "We do not want an

Establishment in Ireland, because Ireland of all other countries is adapted for the voluntary system." And he spoke of the Roman Catholics as voluntaries. But I would like to ask Roman Catholic Members, whether they consider their Church a voluntary Church? If an Establishment were merely a money question, I would admit the position of the Roman Catholic Church in Ireland is that of a voluntary Church. [Mr. STUART MILL: Hear, hear!] But does the hon. Member for Westminster (Mr. Stuart Mill) think that money is the only thing involved in an Establishment? Very far from it. That is almost the only point that has been dwelt on in this debate; but there are many others which it will be necessary to raise before we have done with this subject. We must hear, not only about the property, but about the form of worship and the discipline which are necessary for an Establishment, and upon these points not one word has been heard from the right hon. Gentleman who has brought forward these Resolutions. Now, will he tell us when he has disestablished the Protestant Church of Ireland, whether that Church is to continue an Episcopalian Church or not? And, if so, if she is to have Bishops, by whom are they to be appointed? Are they to be elected by the congregations, or appointed by the Crown? To what law are they to be subject, and in what way are you going to insure uniformity of doctrine and worship in that Church? Remember that these are not in the present day mere matters of form; they are very important questions, which will undoubtedly be raised in substance; and it seems to me that one of the great difficulties we have to contend with, and upon which, before this matter is finally settled, we must have a distinct and categorical answer, is, in what position is the Established Church in Ireland to be when it comes to be disestablished with respect to the questions of discipline, doctrine, and form of government? We do not want to have another South Africa in Ireland; and I think that English Churchmen who are apt to look upon this question as a thing apart, and to say that it would rather strengthen than weaken the Church of England if the Irish branch of the Church were disestablished, have hardly pictured to themselves what would happen if this long-established branch of their own Church were destroyed. For, do what you will, these Churches are united. Suppose different articles and formularies were by-and-by adopted by Convocations in that Church—a danger restricted and prohibited by the conditions of an Establishment—and that the Church in England was prevented from following the example of her freer sister, what would be the consequence? I venture to say that there would arise a state of things which in a short time would be found to be intolerable. Suppose, for instance, that such questions sprang up as those that were lately raised in the Ecclesiastical Courts in this country, and that certain decisions were given as to the effect of the Articles of the Church of England which were unsatisfactory to a great number of its members, who, nevertheless, would be precluded from making any alterations in those Articles, and suppose our brethren in Ireland entertaining similar opinions were to alter their formularies, what think you would be the effect of that upon the people of the Church of England? I venture to say that the consequences would be such as the advocates of disestablishment are not altogether prepared for. To certain minds, no doubt, they may seem good, and that this enfranchisement of the Church from the restrictions imposed by the State in Ireland can do no harm; but to me it appears that the effect would be to produce such excitement here as would aggravate and intensify all the evils that we are at present troubled by; and members of the Church of England must make up their minds that in destroying the Established Church in Ireland they are striking at the root of the Established Church in England also. I do not put it now upon the miserable *proximus ardet* argument. I do not say that, because your neighbour's property is taken, you must look after your own, though the same principles that are recognized as an excuse for taking away the property of the Established Church in Ireland may of course be used with equal effect in England also. I do not put it upon that ground; but I say this—if you open the vents, you let out the waters of controversy between Church and State to an extent you are not prepared for. The discussion we are now upon is, whether it is desirable to go into Committee at this time; and the reason why I have entered upon these questions is to show the House the enormous extent of the ground we shall have to cover if we do go into Committee. For, although the right hon. Gentleman may say, "If you go into Committee, you will merely have to vote my first Resolution, and the others which are to give effect to it," he cannot say that he will prevent these questions from being fully discussed before he embodies his proposals in a measure. Therefore we feel it our duty to warn the House and to take its sense whether it is desirable — when we are approaching the Easter holydays, and the state of business is so little advanced—to enter upon this extensive field of controversy. But if the House, after full consideration, decides to go into Committee, we shall then be ready to enter upon the discussion, and depend upon it these questions shall be fully and fairly argued, and all the collateral issues raised, before the whole matter is allowed to conclude.

Mr. COLERIDGE moved the adjournment of the debate.

Mr. GLADSTONE said, he wished to make a suggestion with regard to the course of business to-morrow. On ordinary occasions, the usual practice was to take the Motion relating to the holidays before the main business of the evening. Now, although he was sanguine in the hope that nothing would occur to prevent the adjournment for the holydays to-morrow, it was plain that it would not be desirable to settle the matter before the main business of the evening was brought to a conclusion. It would be convenient and satisfactory to the House if the questions could be taken after the main business was concluded, when it might be hoped that that important question would have come to an issue on its first stage, and that they should know something of the mode in which the Government proposed to deal with its future stages.

Mr. DISRAELI said, that the Government had no other wish than to suit the convenience of the House. He might say that representations had been made to him as much from one side as the other, that Gentlemen were very anxious that the usual holydays should be observed. He had thought of putting on the Paper to-night a Notice to that effect, so that the House might express an opinion upon it. He had no objection, however, to adopt the suggestion of the right hon. Gentleman, if it was acceptable to the House; but he must express his own opinion that there could be no doubt that the debate would conclude to-morrow.

Motion *agreed to.*

Debate *further adjourned* till *To-morrow.*

## METROPOLIS GAS BILL — [Bill 49.]

(*Mr. Morrison, Mr. Locke, Mr. Gorst.*)

SECOND READING.

Order for Second Reading read.

Mr. MORRISON, in moving that this Bill be read a second time, explained, that in 1866 a hybrid Committee of the House was appointed upon this subject. On its Report the Government founded the Bill of last Session, which was referred to a Committee of five, and, after a lengthened and expensive inquiry, miscarried at a time when the representatives of the companies and those of the public appeared to have come as nearly as possible to an agreement. It was therefore thought expedient that the Bill should be re-introduced this year, and this Bill was in the main a reprint of last year's Bill, with certain alterations. Very grave exceptions had been taken to certain parts of the Bill, and there had been a conference with the representatives of the gas companies of the metropolis, who had determined to offer no opposition, on condition that the promoters consented to certain changes. On the part of the promoters he was ready to consent to these changes, which involved the striking out of a large portion of new matter incorporated with the Bill. These changes embraced the clauses dealing with the amalgamation of the existing companies, the supply of gas in bulk, the substitution of permissive for compulsory powers of purchase, and the damages to be paid by a company in case of accident. There was already an Order of the House that Bills having reference to the supply of gas to the metropolis should be referred to the same Committee; three Bills had been read a second time and referred, and it was therefore desirable that this Bill should be similarly dealt with at once. He moved that it be read a second time, and to-morrow he would move that it be committed, in order to insert the Amendments agreed upon, and have the Bill reprinted.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Morrison.*)

Mr. GREENE said, he had remained in the House for the purpose of opposing the Bill; but having heard of the arrangement he would not do so, at least at this stage.

Mr. WYLD called attention to Clause 100, as follows :—

"All costs, charges, and expenses preliminary to and of and incidental to the preparing, applying for, obtaining, and passing of this Act (including those incurred by the Board of Trade in relation to the Metropolis Gas Bill introduced in the first Session of Parliament in the year 1867) shall be paid by the Metropolitan Board of Works as the Board of Trade direct."

He believed the ratepayers of the metropolis would object to the payment out of the rates of the expenses incurred in promoting the Bill of last Session; and, indeed, it was improper to charge the ratepayers with the expenses of a Bill which the House did not pass. In Committee he would move the rejection of this clause.

Motion *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

## SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

That a sum, not exceeding £1,200,000, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services, to the 31st day of March 1869:—

| Class I. | £ |
|---|---|
| British Embassy Houses: Constantinople, China, and Japan | 5,000 |
| Metropolitan Fire Brigade | 2,000 |
| Harbours of Refuge, &c. | 13,000 |
| Lighthouses Abroad | 5,000 |
| Royal Palaces | 5,000 |
| Public Buildings | 15,000 |
| Furniture of Public Offices | 2,000 |
| Royal Parks and Pleasure Gardens | 15,000 |
| Houses of Parliament | 7,000 |
| British Embassy Houses: Paris and Madrid | 1,000 |
| New Foreign Office | 3,000 |
| Public Offices Site | 10,000 |
| Probate Court and Registries | 2,000 |
| Public Record Repository | 1,000 |
| National Gallery Enlargement | 6,000 |
| University of London Buildings | 3,000 |
| Chapter House, Westminster | 2,000 |
| New Palace at Westminster, Acquisition of Land | 4,000 |
| Burlington House | 4,000 |
| Sheriff Court Houses | 3,000 |
| Rates for Government Property | 5,000 |
| Post Office and Inland Revenue Buildings | 12,000 |
| Wellington Monument | 1,000 |
| Palmerston Monument | 1,000 |
| Public Buildings, Ireland | 16,000 |
| Queen's University, Ireland | 1,000 |
| Ulster Canal | 1,000 |
| Portland Harbour | 1,000 |

| Class II. | |
|---|---|
| Treasury | 7,000 |
| Secret Service | 4,000 |
| Home Office, &c. | 10,000 |
| Foreign Office | 10,000 |
| Colonial Office | 5,000 |
| Board of Trade, &c. | 12,000 |
| Household of the Lord Lieutenant | 1,000 |
| Chief Secretary, Ireland, Offices | 3,000 |
| Paymaster General's Office | 3,000 |
| Exchequer and other Offices, Scotland | 1,000 |
| Office of Works and Public Buildings | 4,000 |
| Office of Public Works, Ireland | 3,000 |
| House of Commons, Offices | 7,000 |
| Privy Council Office | 5,000 |
| Privy Seal Office | 1,000 |
| Civil Service Commission | 1,000 |
| Exchequer and Audit Department | 5,000 |
| Office of Woods, Forests, and Land Revenues | 4,000 |
| Public Record Office | 3,000 |
| Poor Law Commissions | 25,000 |
| Mint, including Coinage | 5,000 |
| Copyhold, Inclosure, and Tithe Commission | 3,000 |
| Inclosure and Drainage Acts; Imprest Expenses | 2,000 |
| General Register Office | 5,000 |
| National Debt Office | 2,000 |
| Public Works Loan Commission | 1,000 |
| Lunacy Commission | 1,000 |
| Registrars of Friendly Societies | 1,000 |
| Charity Commission | 3,000 |
| Patent Office | 4,000 |
| Printing and Stationery | 50,000 |
| Poor Law Commission, Scotland | 2,000 |
| General Register Office, Scotland | 1,000 |
| Lunacy Commission, Scotland | 1,000 |
| Fishery Board, Scotland | 2,000 |
| Public Record Office, Ireland | 1,000 |
| Poor Law Commission, Ireland | 12,000 |
| General Register Office, Ireland | 3,000 |
| Charitable Donations and Bequests, Ireland | 1,000 |

| Class III. | |
|---|---|
| Law Charges, England | 6,000 |
| Criminal Prosecutions | 25,000 |
| Police, Counties and Boroughs, Great Britain | 35,000 |
| Common Law Courts, England | 7,000 |
| Miscellaneous Legal Charges, England | 3,000 |
| County Prisons and Reformatories, &c. Great Britain | 30,000 |
| County Courts | 60,000 |
| Police Courts, London and Sheerness | 3,000 |
| Metropolitan Police | 25,000 |
| Convict Establishments in the Colonies | 20,000 |
| Law Charges and Criminal Prosecutions, Ireland | 13,000 |
| Common Law Courts, Ireland | 4,000 |
| Miscellaneous Legal Charges, Ireland | 2,000 |
| County Prisons, Ireland | 2,000 |
| Criminal Proceedings, Scotland | 10,000 |
| Courts of Law and Justice, Scotland | 6,000 |
| Register House Departments, Scotland | 2,000 |
| Admiralty Court Registry | 2,000 |
| Probate Court | 10,000 |
| Land Registry Office | 1,000 |
| Government Prisons, England, and Transportation | 36,000 |
| Broadmoor Criminal Lunatic Asylum | 4,000 |
| Prisons, Scotland | 3,000 |
| Court of Chancery, Ireland | 6,000 |
| Registry of Judgments, Ireland | 1,000 |
| Registry of Deeds, Ireland | 2,000 |
| Court of Bankruptcy and Insolvency, Ireland | 1,000 |

| | |
|---|---|
| Court of Probate, Ireland .. .. | 2,000 |
| Landed Estate Court, Ireland .. | 2,000 |
| Dublin Metropolitan Police, Ireland | 12,000 |
| Constabulary, Ireland .. .. | 110,000 |
| Four Courts Marshalsea, Ireland .. | 1,000 |
| Government Prisons and Reformatories, Ireland .. .. .. .. | 8,000 |
| Dundrum Criminal Lunatic Asylum, Ireland .. .. .. .. | 1,000 |
| Admiralty Court Registry, Ireland .. | 1,000 |
| Class IV. | |
| Learned Societies, Great Britain .. | 2,000 |
| Queen's Colleges, Ireland .. .. | 1,000 |
| Belfast Theological Professors .. | 1,000 |
| Universities, &c., Scotland .. .. | 2,000 |
| Board of Manufactures .. .. | 1,000 |
| Public Education, Great Britain .. | 120,000 |
| Science and Art Department .. | 32,000 |
| University of London .. .. | 2,000 |
| British Museum .. .. .. | 12,000 |
| National Gallery .. .. .. | 2,000 |
| British Historical Portrait Gallery .. | 1,000 |
| Public Education, Ireland .. .. | 55,000 |
| Queen's University, Ireland .. .. | 1,000 |
| National Gallery, Ireland .. .. | 1,000 |
| Class V. | |
| Treasury Chest .. .. .. | 2,000 |
| Tonnage Bounties, &c. .. .. | 4,000 |
| Coolie Emigration .. .. .. | 1,000 |
| Commissions for Suppression of Slave Trade .. .. .. .. | 1,000 |
| Consuls Abroad .. .. .. | 25,000 |
| China, Japan, and Siam, Services in | 15,000 |
| Ministers at Foreign Courts, Extraordinary Expenses .. .. .. | 10,000 |
| Colonies, Grants in Aid, &c. .. .. | 10,000 |
| Orange River Territory and St. Helena | 1,000 |
| Emigration .. .. .. .. | 2,000 |
| Class VI. | |
| Miscellaneous Charitable and other Allowances, Great Britain .. .. | 1,000 |
| Merchant Seamen's Fund Pensions, &c. | 7,000 |
| Relief of Distressed British Seamen | 5,000 |
| Superannuation and Retired Allowances .. .. .. .. | 30,000 |
| Hospitals and Infirmaries, Ireland .. | 3,000 |
| Miscellaneous Charitable and other Allowances, Ireland .. .. | 1,000 |
| Class VII. | |
| Temporary Commissions .. .. | 6,000 |
| Miscellaneous Expenses .. .. | 20,000 |
| Local Dues on Shipping .. .. | 6,000 |
| Flax Cultivation .. .. .. | 1,000 |
| Total .. | £1,200,000 |

Resolution to be reported *To-morrow;* Committee to sit again *To-morrow.*

### COUNTY GENERAL ASSESSMENT (SCOTLAND) BILL.

On Motion of The Lord Advocate, Bill to abolish the power of levying the Assessment known as "Rogue Money," and in lieu thereof to confer on the Commissioners of Supply of Counties in Scotland the power of levying a "County General Assessment," *ordered* to be brought in by The Lord Advocate, Mr. Secretary Gathorne Hardy, and Sir James Fergusson.

Bill *presented,* and read the first time. [Bill 84.]

### PEERAGE (IRELAND) BILL.

On Motion of Sir Colman O'Loghlen, Bill to limit the further creation of Peers of Ireland, and to amend the Representation of the Peerage of that part of the United Kingdom, *ordered* to be brought in by Sir Colman O'Loghlen, Mr. Monsell, and Mr. Shaw-Lefevre.

Bill *presented,* and read the first time. [Bill 83.]

House adjourned at a quarter after Twelve o'clock.

## HOUSE OF LORDS,

### *Friday, April* 3, 1868.

MINUTES.]—Select Committee—On Poor Relief, Lord Stanley of Alderley *added.*

Public Bills—*First Reading*—Partition * (67).

*Committee*—Inclosure * (61); Medical Practitioners (Colonies) * (56).

*Report*—Inclosure * (61); Medical Practitioners (Colonies) * (56).

*Third Reading*—Marine Mutiny *; Mutiny *; Indian Railway Companies * (63); London Coal and Wine Duties Continuance * (59), and *passed.*

*Royal Assent*—Consolidated Fund (£6,000,000) [31 *Vict.* c. 13]; Mutiny [31 *Vict.* c. 14]; Marine Mutiny [31 *Vict.* c. 15].

### BANKRUPTCY BILL.—QUESTION.

Lord CHELMSFORD asked the noble and learned Lord on the Woolsack, Whether it was his intention to refer the Bankruptcy Bill to a Select Committee? If not, he trusted that those noble Lords who proposed to move Amendments would have them printed during the Recess, in order that they might be considered.

The LORD CHANCELLOR said, he stated on the second reading of this Bill, that if any of their Lordships expressed a wish that it should be referred to a Select Committee, he should be quite willing to accede to that course. He had since understood from noble and learned Friends, who took great interest in the subject, that they did not think much advantage would be gained by sending the Bill to a Select Committee, and therefore at present he did not intend to take that course. A noble and learned Friend who was not present (Lord Romilly) had been good enough to put on the Paper and have printed a number of Amendments which, no doubt, would prove of great utility, and he hoped that any noble Lord who wished to move any Amendments would also cause them to be printed, in order that the House might have an opportunity of considering them before the next stage of the Bill.

LORD CHELMSFORD wished it to be understood that he had no desire that the Bill should go to a Select Committee.

## INSURRECTION IN CRETE.

### MOTION FOR AN ADDRESS.

LORD STRATHEDEN rose, according to Notice, to call their Lordships' attention to the further Correspondence respecting the disturbances in Crete. He had first to direct their Lordships' attention to the "Identic Note" communicated in October last to the Turkish Government on the part of Russia, France, Prussia, and Italy. The general result of that Note had been to inflict a severe blow upon the Turkish Government, and, as regarded the Eastern question, to place Great Britain on the one side and France and Russia on the other. As that was a state of things inconsistent with the position of affairs established as the result of the Crimean War, it became an important matter to inquire how far our Government had contributed to produce it, or laboured to avert it. The question was, whether our Government had done as much as was possible to exempt themselves from all responsibility for a proceeding which, according to their own language, was both unfortunate and injurious? In a despatch from Lord Stanley to Lord Bloomfield was the following passage:—

> "Her Majesty's Government had given no advice which had been disregarded. They had recommended the granting of local autonomy to Crete; and the plan of Government now proposed for that island, if it did not amount to an entire concession of local autonomy, yet fell very little short of it, and seemed to include that which was practically the most important point—equal rights for Mussulmans and Christians. Under these circumstances, I felt unwilling to join in any representation which, however courteous and friendly in its language, bore the character of a remonstrance or protest. I saw no necessity for taking such a step, and, if unnecessary, it could only be injurious."

It was clear from that despatch that the "Identic Note" had been for some time under the consideration of Her Majesty's Government, that they disapproved it, and held that the Turkish Government had not done anything to call down upon itself, deservedly, such an European reprimand. In the Circular issued on the 18th of October last by Prince Gortschakoff to the diplomatic representatives of Russia was the following passage, which sufficiently showed that the "Identic Note" was the inspiration of Russia:—

> "When at last the insurrection of Candia revealed the progress of this situation, the Imperial Cabinet reiterated its efforts with the Turkish Government and the Great Powers. It addressed an invitation to the Cabinets to join with it in an exhortation to the Porte not to allow this insurrection to increase, the rebound of which might be felt all over the Christian East, and which might become the first spark of a general conflagration."

On the 31st October Mr. Elliot, our Representative at Constantinople, addressed the following despatch to Lord Stanley:—

> "I have the honour to inclose a copy of the identic note upon the affairs of Candia, which, as your Lordship will have learnt by my telegram of this day, has been sent in to the Porte by the Representatives of France, Russia, and Italy.
>
> "The Prussian Minister has likewise received similar instructions, and will act upon them today or to-morrow. After alluding to the efforts of the Powers to put a stop to the effusion of blood and to diminish the horrors of war, the note goes on to declare that while the act of amnesty offered none of the guarantees which would justify its being looked upon as a serious measure, the refusal of the inquiry shows that no remedy is to be looked for to the abuses which provoked the insurrection of the Cretans; and nothing having been done to satisfy the other Christian populations of the Empire, the Powers apprehend that the obstinate resistance of the Porte may precipitate a crisis in the East.
>
> "In this case the Porte is warned that it would ask in vain for even the moral support of the Cabinets in the difficulties which the neglect of their advice will have brought about.
>
> "It will not surprise your Lordship that this note should have produced upon Fuad Pasha an impression of the most painful description.
>
> "He spoke of it to me yesterday as being a direct incitement to rebellion held out to the populations of several provinces, where for some time past the ground has been diligently prepared by intriguers labouring to keep alive disaffection in the Empire.
>
> "That it is eminently calculated to produce the effect apprehended by Fuad Pasha appears to me incontestable, nor is the probability of its being taken as an encouragement to the disaffected disputed even by the Ministers who, in execution of their instructions, transmitted the note to the Porte, but who confine themselves to assurances that their Governments had no wish to add to the difficulties of the Turkish Empire, and that the expressions which seem equivocal are capable of explanation.
>
> "It is, however, evident that the effect produced by the note, when it shall be made public, will be in accordance with the interpretation that can hardly fail to be put upon it in Turkey, rather than with that which may be given in the Cabinets of the Ministers at Paris or at St. Petersburgh; and it will be looked upon much more as an address to the disaffected subjects of the Sultan than as a communication to His Majesty's Ministers."

With respect to the conduct of our Government throughout the negotiations on that subject, he could not help admitting that up to the time of the "Identic Note" their conduct appeared to deserve the highest admiration. The Foreign Secretary had resisted a variety of lures held out to induce him to enter into lines of action inconsistent with our various obligations towards the Ottoman Porte; but their merits in that respect, however great, were merely of a negative character. It was one thing to adhere to our engagements, and another thing to advance towards the accomplishment of great objects of policy; and one great object of English policy in regard to Turkey should be to prevent France from joining Russia.

*Moved*, That an humble Address be presented to Her Majesty for, Copy of the Instructions to the British Representative at Paris in reference to the identic Note proposed to be communicated to the Porte by Russia, France, Italy, and Prussia."—(*The Lord Stratheden.*)

The Earl of MALMESBURY said, that he did not hear the first part of the noble Lord's speech so distinctly as he could wish; but so far as he could gather, it was the noble Lord's wish to ascertain what was the present state of the insurrection in Crete and the policy of Her Majesty's Government. That policy had been throughout the same. The Government felt naturally the deepest interest in those who were suffering all the horrors of insurrection in such a place as Crete, and they had a sincere desire to put an end to the insurrection if they could do it without interfering with the just rights of the Porte. No doubt some cruelties had been committed; but he believed they had been greatly magnified. All the accounts from Her Majesty's servants abroad proved this, and although the country had been devastated, and very considerable misery had resulted from the insurrection and the efforts of the Porte to put it down, as it had a right to do, yet this suffering must be the natural consequence of any rebellion whatever. According to the reports of Her Majesty's servants, especially Mr. Elliot, our Ambassador at Constantinople, the insurrection now assumed comparatively trifling dimensions. Only a few insignificant skirmishes had taken place lately. He should not attempt to go into the original causes of this rebellion, or to ascertain the comparative blame that might be due to each of the parties. If their Lordships would read the despatches of Consul Longworth, they would see that the main point at issue between the Porte and the Candiote population was the difference of religion and race. The Cretans were certainly not overtaxed, they were under a comparatively mild Government, they were exempted from many of the laws to which other subjects of the Porte were amenable, and they enjoyed a general freedom and liberty of speech which other countries might envy. They were ruled over by a Pasha, with whom he (the Earl of Malmesbury) had been acquainted in Paris, and who was an amiable and enlightened man. He believed that the insurrection was very much to be attributed to the amiable weakness of that gentleman, who had allowed it to proceed so far that at last he was unable to put it down. In this state of things the Porte had done all that it could. It had asked the advice of Her Majesty's Government, and had appointed two Christian Governors, and the Ministry of the Porte had issued regulations for the government of the Christian population, a copy of which he had sent to this country, and which would be laid upon the table. The policy of Her Majesty's Government was non-interference, especially in the internal affairs of other nations. Having for many years asked the Porte to treat its Christian subjects with justice, the Government of this country were bound to remind the Porte constantly of these promises. It was our interest that they should be kept; but we were not bound, and it would indeed be a fatal error on our part, to encourage the enemies of the Porte under the plea of giving it good advice, or to place ourselves in a position adverse to the Porte. For this reason Her Majesty's Government had not thought it their duty to join in any Identic Notes with other Powers. There would be no objection to lay upon the table the despatches which had been lately received, and to give any information on the subject.

The Duke of ARGYLL said, the noble Earl (the Earl of Malmesbury) had failed to apprehend the main point of the question raised by his noble Friend—namely, that, now for the first time since the Treaty of 1856, almost all the Great Powers of Europe, with the single exception of Great Britain, had been united to a certain extent in action, and to a still larger extent in the language held towards the Ottoman Empire. He understood his noble Friend to ask whether the

Identic Note presented to the Porte by the combined Powers, and which was represented by the Porte itself as a document of very serious import, had been properly resisted and opposed by the British Government? He understood his noble Friend to inquire, whether if the Government thought this Note so serious, as affecting the independence and integrity of Turkey, they took any means to dissuade the other Powers from agreeing to that Identic Note? It was an important and significant fact that this action on the part of the Great Powers had placed this country in a very undesirable position of isolation. With one sentiment of his noble Friend he was bound to express his sympathy and concurrence;—it was now thirteen months ago since he (the Duke of Argyll) had expressed an opinion that the Government had committed an error in having refused to withdraw from Crete the families of the non-combatants in that struggle. He had reason to think that some noble Lords thought he had made out his case; but no one spoke in that sense, while two or three noble Lords on both sides of the House expressed a contrary opinion. He rejoiced that, although he might be in a minority in that House, he found himself in a very large majority on the other side of the Channel. The Great Powers, it appeared, combined in recommending the Porte to stop the effusion of blood, and to seek, in common with them, a solution of this deplorable conflict by an honest inquiry into the grievances and wishes of the Candiotes. In the meanwhile they insisted on withdrawing the families of the insurgents from the calamities of war. He was aware that even a Member of the Opposition who might speak on the Eastern Question addressed their Lordships under very considerable responsibility. Every word uttered in the House was reported in the East, and he therefore wished to guard against any misconception. He had no wish to criticize the foreign administration of Lord Stanley; for he shared the impression general in the country that, on most questions, he had shown admirable judgment and prudence, and a strict regard to the true interests of England, and, while differing from him in this instance, he gave the noble Lord credit for having been animated by the most upright motives. Now, he had been represented as favouring the opinion that it would be for the advantage of Crete to be annexed to the kingdom of Greece. Such, however, was not his opinion. The Government of Greece was just now in a very deplorable condition, for he understood that within a few miles of the Acropolis of Athens it was not safe for anyone to ride or walk, on account of brigands, and that the Isthmus of Corinth had to be constantly patrolled by cavalry to secure the safety of ordinary travellers. Under such circumstances it was preposterous to desire the annexation of any territory to Greece, which was bound to put its own house in order before it could assume to annex other dominions. The advice repeatedly urged upon Turkey by Her Majesty's Government, to give Crete what is called autonomy, he believed to be the best advice which it was possible to give. What, however, was implied in such advice? We did not think of advising Russia to give autonomy to Poland, nor did we recommend the United States to give autonomy to the South. It was obvious, then, that the parallel sometimes drawn between Turkey and other States was quite fallacious. He was asked last Session how he would like England to be advised to give autonomy to Ireland or any part of the British dominions; but his answer was that whenever the Great Powers were obliged to fight on our behalf, and to sign a treaty virtually guaranteeing our integrity and independence, they would have a right to press advice upon us respecting Ireland. With regard to the refusal of the Government to assist in the removal of non-combatants from Crete, he thought that refusal had not been a frank and straightforward one, but had apparently been based on a wish to avoid the incurring of responsibility. He observed a remarkable despatch from Sir Andrew Buchanan, describing the language which he had held to the Russian Government. Sir Andrew, it appeared, on being asked by Prince Gortschakoff to represent to this Government the propriety of removing non-combatants, replied that the Government had already refused to remove women and children; but that this was a matter of less consequence, inasmuch as the American fleet could do so, and had been ordered into Cretan waters for that very purpose. He did not wish to blame Sir Andrew Buchanan, who was one of the ablest servants of the Crown, for he unquestionably held the language of his Government; but such language was not consistent with the argument used in the House last year, that the removal of non-combatants would be at variance with the duty of a neutral State, since it would relieve the insurgents from a burden which it was proper they should bear. That was a fair and logical position, but to say that we would not take such a step, but that there was the American fleet, and that we should be delighted if they did it—for this was really implied —was not a proper position to assume. The Americans had no right beyond what belonged to any other fleet, and such language amounted to a distinct intimation that the Russian fleet or any other fleet might also assist. Sir Andrew's statement, though volunteered on his part, was approved in subsequent despatches from the Foreign Office, and, indeed, he simply repeated what he knew had been the language of Lord Stanley in London. Prince Gortschakoff, very naturally, took care to make use of the observations of Sir Andrew Buchanan, and of those of Lord Stanley to Baron Brunnow, and in one of his despatches he remarked that though the British Government had not thought proper to take part in the removal, they had intimated that it was not their business to interfere with the other Powers who might do so. Thus the only overt act which had been taken by the other Powers was actually suggested by the Foreign Office, with a virtual intimation that no objection would be offered by England. He was happy to say that all the other Great Powers had taken part in the removal. The French Government sent vessels; the Americans took a few non-combatants, but then suspended operations; Russia and Italy sent vessels; and a gunboat was sent by Austria. Considering the calamities and brutalities to which these unfortunate people were exposed, and considering that Crete had at one time established its independence, and was restored to the Porte by the concurrence of all the Great Powers of Europe, those Powers had, in his opinion, come to a wise, just, and humane decision. The noble Earl (the Earl of Malmesbury) had passed over those calamities very briefly, and it was easy to indulge in general denials, and to say that there was no truth in the reported massacres of women and children. No doubt many of the stories were exaggerations, and some of them complete fabrications; but he observed that France and other Powers had urged on Lord Stanley that, if he was not satisfied with the information he had received, a joint Commission should be sent to Crete to inquire into the facts. Lord Stanley ultimately acceded to that proposal to this extent, that he was willing to urge on the Porte to nominate a Commission of their own, to which certain names should be added by the Great Powers. The noble Lord on this as on other points seemed to have somewhat vacillated, from an evident desire to avoid responsibility and to let matters take their own course; for, when asked whether he adhered to this suggestion, he expressed a doubt whether he could by such a Commission get better information than he already received from Her Majesty's Consuls in Crete. Now, he was quite willing to take the evidence of these gentlemen, and after carefully reading the blue book his impression was very different from that of the noble Earl. Mr. Dickson, our principal Consul in Crete, who was by no means a phil-Hellenist, but was a good friend of Turkey, testified in many of his despatches to the humane conduct of some of the leading officers of the Turkish army. No doubt the responsible officers of the Turkish Government were generally humane in their conduct, but the charges of brutality were directed at the irregular troops, who were known to be such savages, and so incapable of military discipline, that their employment involved the commission of all kinds of atrocities. On this point Consul Dickson, in one of his despatches, said—

> "I myself have repeatedly urged on Server Effendi, as I did with his predecessor, the expediency of disarming and disbanding the Cretan Bashi-Bazouks; for by doing so I consider that the island would be spared further devastation, and these barbarous and fanatical mercenaries prevented from perpetrating their wonted misdeeds, while the Imperial authorities would be relieved from a serious charge in their mode of conducting the war. Server Effendi replied that he was desirous of effecting this wholesome measure; but that it could only be done by degrees and with great tact and caution on the part of the Government. The brutalities lately committed on Christian women and children defy description."

That was the language of their own Consul, and, notwithstanding such evidence as that the noble Earl (the Earl of Malmesbury) had got up and told their Lordships that the war had, on the whole, been conducted with humanity. If the Government wanted further evidence would they take that of their Naval Officers on the station? At all events, when Lord Stanley said he had no independent means of knowledge, and that he was willing to trust to his own Consuls and Officers, their Lordships had a right to rely on the information which those gentlemen communicated. Lieutenant Murray, writing on the 22nd of July, 1867, to Lord Clarence Paget, said—

> "The reign of terror which has long threatened has become a fearful reality. Parties of Bashi-Bazouks, who have given up service with Omer Pasha (not finding it sufficiently remunerative), scour the country, and put to death any man, woman, or child they find. The whole district of Kissamoss is a scene of mourning; for all the young men being in the hills fighting, their families are left without protection, and at the mercy of these ruffians."

And then he went on to say—

> "His Excellency did not deny that the massacre had taken place; but, as an extenuating circumstance, said that some Turks had been killed by Christians, which is utterly untrue, as there is not a Mussulman in the whole district outside the walls of the town. He was obliged to confess that the Government is powerless to prevent these atrocities from taking place, nor do they care to prevent them, for the Turks now openly avow their intention of killing all the Cretan Christians."

He would not trouble the House with further extracts. Such being the facts, in the month of July or August, the whole of the foreign Consuls in Crete united in a telegraphic message to their various Ministers at Constantinople and elsewhere requesting the immediate assistance of the fleets of their respective Governments in order to carry away the fugitives; and, accordingly, the various nations to which he had referred sent squadrons more or less strong—the French sent four vessels, the Prussians two or three, the Italians one or two, and the Austrians one gunboat—and a very large number of those unfortunate persons were removed to Greece. Now, what he ventured to observe was that the only result of the conduct upon which he had animadverted last Session was this—that we had stood absolutely alone; the neutrality and independence of Turkey, if there had been a violation, had been violated by the other Powers, we looking on, and not only not remonstrating, but rather indicating our approval, only we had not had either the honour or the satisfaction of having contributed to that result. Having said so much with regard to this particular case, he would now add a few words on the subject of our general policy and the course taken by Her Majesty's Government in recommending Turkey to give autonomy to Crete. He did not think any advice given to Turkey in that tone would be of any avail. The truth was Turkey was surrounded by many difficulties and dangers, and he should not feel surprised if she did not take any advice that was given her in reference to granting autonomy to Crete. But that, in his opinion, only pointed to the necessity of another course. As the integrity and independence of Turkey were the result of a treaty among the other Powers of Europe, it seemed to him of infinite importance that those Powers should all act together, and that the worst calamities would fall on Turkey if the principle were once admitted that two or three Powers might each follow their own counsel with regard to her affairs while England stood aloof, neither approving or disapproving, but letting matters take their course. It was the great object of the treaty concluded by the Great Powers at Paris in 1856, and in the conduct of which his noble Friend (the Earl of Clarendon) bore so conspicuous a part, that there should be joint action on the part of all the Great Powers with respect to Turkey, and that individual action should not be allowed where concert could be arrived at. But by refusing to join the other Great Powers in a matter in which they were clearly right, we had afforded a precedent and example for separate action on their part which might extend to other matters of more serious import, and thus there was a serious risk that we might place the result of the contest wholly beyond our control or guidance. He believed that nothing could be more dangerous to Turkey than the continuance of the present state of things in Crete. A great Empire, nominally one of the Great Powers of Europe, whose integrity we had guaranteed, had sent to a comparatively small island an army of upwards of 40,000 men, and a large contingent from Egypt, and yet in that small island small bands of the population in the mountains had for upwards of two years successfully maintained their independence. Was not that a contest sufficient to excite all the other Christian provinces of Turkey to revolt? That was a most dangerous spectacle to the other provinces of Turkey; and he entreated Her Majesty's Government, in conjunction with the other Powers of Europe, to urge with a little more insistance on Turkey the duty of taking that course, whatever it might be—and he did not express any conclusive opinion on that point—which might be found for the interests of that Empire whose integrity and independence rested upon our guarantee. He believed the present state of things was this: Omer Pasha had gone to Servia; the Turks held two or three towns in Crete; they were able to advance over the plains to the foot of the mountains, but not to enter into any of the strongholds of the mountaineers. He left their Lordships to judge what the effect of such a state of things would be upon the other provinces of Turkey if the European Powers did not insist that an autonomy should be given to Crete.

The Earl of DENBIGH said, that the noble Duke (the Duke of Argyll) would lead one to imagine that this had been a *bonâ fide* insurrection of the Cretans against the tyranny of the Turks. That was not the opinion of the noble Lord the Foreign Secretary, and if their Lordships turned to the last Report of Consul General Longworth they would find a very different account. Consul General Longworth, speaking of Vely Pasha, said—

> "It would be most unjust to Vely Pasha, on the other hand, to refuse him credit for his endeavours to promote the prosperity of the island, to civilize the inhabitants, and insure a greater measure of toleration for the Christians. He not only encouraged the building of churches, schools, and hospitals, but liberally contributed from his own funds for such purposes. He caused physicians to be brought from Constantinople that the poor might receive medical aid at the expense of the Government. He strove to advance the interests of trade, established buoys at the entrance of the harbour of Canea, introduced cranes, improved the light-house and Custom House. . . By the whole black population of the isle he was looked up to as their best friend and benefactor. No other Turkish Pasha that I have heard of has shown so much indulgence and liberality to Christians; yet, with every claim on their goodwill and gratitude, it cannot be denied that he had for some time past incurred their dislike, and this grew finally into a feeling of hostility."

The Duke of ARGYLL inquired what was the date of that Report?

The Earl of DENBIGH said, the date was 1858, before the insurrection; but he quoted it to show that there was no cause for the revolt. The Consul went on to show that the chief cause of the alleged difficulties was that the Cretans had been obliged to contribute to the making of roads—

> "For the construction of roads all over the island, the Pasha decided that every able-bodied male inhabitant should contribute either nine days' labour or its equivalent in money — fifty-four piastres the year. If, as has been suggested, instead of this mode of proceeding, a joint-stock company had been established, with a privilege to exact a toll, it is questionable whether the arrangement would have proved a bit more satisfactory."

It was very clear that it had been the object of the Russian Government for a long time to bring its power to bear on the Porte for the purpose of weakening it, and so obtaining a footing for themselves in the country; and what better opportunity of doing so could there be than to try to secure for Crete what was called autonomy? All the despatches and letters that had appeared within the last few months had made it clear that the real object of Russia was to obtain Crete as a dowry for the Queen of Greece. That had been openly stated, and he believed it. He agreed with the noble Duke (the Duke of Argyll) that we did wrong in standing aloof — in witnessing the nefarious transaction without using very strong language in deprecation of it. It was an inhuman thing to stand by and see others assisting Russia without openly condemning their conduct. The taking away of the non-combatants, although it might be justified on the score of humanity, could not be justified on the score of policy. It was clear that in an insurrection the taking away of non-combatants assisted the combatants, and was therefore a violation of neutrality. He was glad that the British Government had absolutely refused to join the other Powers in addressing Turkey. We had thereby earned the gratitude of the Porte, which had a decided right over Crete. He should excessively regret to see this country concurring with other nations in a course which should assist Russia in detaching Crete from the Empire of the Porte.

The Earl of KIMBERLEY said, it was not necessary that he should undertake the defence of the policy pursued in this question by the noble Lord the Secretary for Foreign Affairs. But as the noble Duke (the Duke of Argyll) had again brought that subject under the consideration of their Lordships, he could not help repeating the opinion he had expressed upon a former occasion, that the noble Lord the Foreign Secretary had shown great wisdom in abstaining from joining the other Powers in removing the families of insurgents from the island. He agreed with the noble Earl who had just addressed their Lordships (the Earl of Denbigh) that such an interference would have been a distinct breach of the neutrality we were bound to observe. It was naturally difficult to take a course which might lay one open to a charge of inhumanity; and therefore the noble Lord the Foreign Secretary deserved all the more credit for adhering firmly to a policy which laid him open to such a charge. What the Ottoman Empire had chiefly suffered from had been the meddling of its candid friends. The candid friends who came forward on this occasion made one very plain recommendation—namely, that the Porte should relieve itself from its responsibilities and give Crete her independence. There was a policy which was well known as the "artichoke policy," which was that of divesting a State little by little of its responsibilities and of its outlying positions until at last the heart of the artichoke might be eaten up at one mouthful. Wishing, as we did, that the Ottoman Government should be maintained until there was some civilized and independent Government to take its place, we ought not to join in that policy — ["Hear, hear!"] — and he was very much surprised to hear the noble Duke cheering that observation, because he distinctly laid it down that the only Government that had been put forward to take charge of the island of Crete was entirely unfit to do so. If that were so, what policy did the noble Duke desire we should follow? If we were to follow the policy of inducing the Porte to give up Crete, we ought, at all events, to be prepared to suggest some independent and civilized Government that should take its place. The noble Duke said he approved the suggestion that Crete should be governed on the principle of autonomy, and be placed in the position of Moldavia and Wallachia. That was precisely what the noble Lord the Foreign Secretary recommended. The noble Duke complained that our Government had not acted in that matter in concert with the other Powers. Now, there could be no objection to our co-operating with other Powers who were taking a course of which we approved; but how could we be expected to co-operate with them if they pursued a policy which we condemned? The noble Lord the Foreign Secretary took a proper course and went as far as he could in the same direction as the other Powers; but he had refused to unite with them in departing from the policy which this country had generally observed. Acting upon that principle, he had recommended the Porte to grant autonomy to Crete; but, as continued officious meddling with the Ottoman Government would weaken instead of strengthen it, he abstained from enforcing judicious advice with a pressure which might have produced the same effect as injudicious advice. The Porte naturally claimed to be the best judge of what it was necessary to do in its own dominions. The Powers that had guaranteed the independence and integrity of the Porte no doubt felt justified in offering their advice, and it was their duty to point out the consequences that would follow the disregard of it; but if they proceeded to exercise that kind of pressure which amounted to a threat that, if the Porte did not comply with the advice, then their moral support, as it was called, would be withdrawn, they acted inconsistently with the spirit of the treaty under which the independence and integrity of Turkey was guaranteed. He trusted that this country would not pursue an indirect policy in the matter. If we thought that the Ottoman Empire should no longer be sustained, let us say so plainly. As long as we were prepared to sustain it, he trusted we should not by such indirect measures as removing the families of insurgents or applying pressure to the Porte pursue a policy which might involve this country in difficulty.

THE EARL OF MALMESBURY said, that after the very effective vindication of the policy of the Government which had been offered by the noble Earl who had just addressed their Lordships, he need not again trespass upon their time at any length. The noble Duke opposite (the Duke of Argyll) had put into his mouth two or three expressions he never used: he had not denied that there had been cruelties in Crete; but he said that the reports from our *employés* showed that they were chargeable only to the Executive. The noble Duke said it was an extraordinary thing that we had not joined the other Powers in removing non-combatants from the island; but it should be remembered that his noble Friend at the head of the Foreign Office was not the Minister of France, or Russia, or Prussia, but the Minister of England, and that it was to the policy of this country that he had to give effect. Unless we assumed a position in Europe which would not be recognized, how were we to regulate their course of conduct on matters of this sort? They had combined to give the Porte what advice they pleased, and we were not obliged to follow in the same course. The Government did not approve the course proposed by the other Powers, and showed its disapprobation by not joining in it, and the Foreign Secretary took the wisest course for maintaining the independence of Turkey. We should have been inconsistent in our policy, which was one of non-interference, if we had assisted in the removal of the refugees. It was a singular fact that a petition had been received from many hundreds of fugitives in Greece, praying that they may be allowed to return to Crete under protection. This showed that in flying from their country they had not bettered their condition. Of course we must take all these things *cum grano salis.* Fully sensible of the immense importance of maintaining the independence of the Ottoman Empire, the Government felt that the best policy to pursue with that end in view was one of non-interference, coupled with judicious advice to the Porte in respect to the treatment of its Christian subjects.

Earl RUSSELL: I must say that my opinion is entirely favourable to the conduct which Her Majesty's Government have pursued. I believe Lord Stanley has acted rightly under the circumstances. I should not like to give any abstract opinion as to the propriety of allowing women and children to be taken away from the place where an insurrection breaks out. That is a point upon which the Executive Government of the day must form their own opinion; and I think it is quite impossible for any independent person to form an opinion in regard to the circumstances of this case, and, as far as I can see, the noble Lord at the head of the Foreign Office formed a just judgment upon these particulars. It is easy to say that it would have been a work of humanity to have removed these persons, but it is not so in every case. The contest may be a very barbarous one, and it may be that in removing these women and children you tend to prolong that cruel contest; and, if so, it could be no work of humanity to remove them. As to the task in which the Russian and other Governments have taken a part, there has not been that relief given which one might expect; and many of these unfortunate persons are starving in Greece, instead of earning their living in their native land. If that is the case, I must say that I think it was a most unfortunate interference on the part of those different Powers, and I am very glad, therefore, that the Government of my own country have taken no part in it. As to the animus with which the advice of these Powers was given, that advice was given in an Identic Note sent and counsels proffered to the Porte. We see by a despatch, dated about a year ago, that the French Ambassador came to Lord Stanley, and told him that the opinion of his Government was that the separation of Crete from the dominion of Turkey was inevitable, and that the French Government wished to save the dignity of the Porte, and were disposed to advise that the Sultan should consult the Greek inhabitants of Crete, and ask them whether they would like to be joined to the kingdom of Greece. Omer Pasha, in recounting what took place, says that the Government of Russia had openly avowed that they wished for the separation of Crete from the Government of Turkey; and if we had joined in this Identic Note and in the counsels given to the Porte, we could not have shut our eyes to the ultimate views of these Powers, and to the fact that they meant, however courteously they might express themselves, to aim a blow at the integrity of the Turkish Empire. But when one blow had been given to the integrity of the Turkish Empire—when Crete had been separated from Turkey because there was an insurrection—who shall tell me that there will not be persons who will be skilful enough to get up insurrections in other Christian provinces of Turkey, and that the same advice may not be repeated next year or the year after, in order to separate one province after another from the dominion of the Turkish Government. I therefore say, like Lord Stanley, that I am not surprised that the Turkish Ambassador should have told him that the Sultan was determined to refuse that advice, and that he thought a concession to the extent of separating provinces from the Turkish dominion was extremely dangerous; that it would lead finally to the partition of the Turkish Empire; and that, therefore, they could not consent to it. I quite agree with my noble Friend that it was very good advice on the part of the British Government to recommend an autonomy. Now, autonomy is a very good word; but of course it means differently when applied to different provinces. In some provinces there are no Turks whatever; and when you speak of an autonomy with regard to them, you mean the Christian inhabitants of those provinces governing themselves. In Servia, for instance, there are no Turks, and autonomy would therefore mean persons of the same race and religion as the rest governing that country for themselves. But if you speak of an autonomy for Candia, you do not mean the same thing; because, together with a large population of Greek Christians, there is likewise a considerable population of Mohammedan Turks; and an autonomy for Candia would therefore mean, not that there should be one Government governing people of one race, but that there should be two Governments, one governing the Christians and the other governing the Mohammedans—the Turkish Government using the best means, through the Governor, to maintain peace and harmony between the two populations. This is a very delicate matter for a foreign Power to interfere in by advice; and I see no reason why we should interfere by advice further than to express a general opinion in favour of autonomy. If we mean, as I think we are bound, to respect the integrity and independence of the Turkish Empire, my belief is that the Foreign Minister of this country has acted with great prudence and discretion, and has done his duty to his own country and to its allies.

Earl GREY said, he should like some information from the Government on one point. If they were to believe the accounts which were published of what was going on in Crete, it appeared that the insurrection would have been suppressed long ago but for the open support given to the insurgents from Greece. Such conduct on the part of Greece gave undoubted cause of just complaint to the Turkish Government. The Turkish Government, if left to itself, would soon be able to stop the blockade runners from Greece by following them to their homes and destroying them, a course which they would be justified in following. He wished to know if it was the fact that Turkey was not allowed to take the only effectual means of stopping the blockade-runners; if so, Turkey was not fairly dealt with, and the Powers of Europe ought either openly to say that they meant to give up their policy of maintaining the integrity of the Turkish Empire, and to deprive Turkey of Crete; or else, in common humanity and justice, they should leave the Turks at full liberty to take the only legitimate means in their power to bring this contest to a close.

The Duke of ARGYLL said, he had been misunderstood. He did not mean to say that England ought to have taken part in the Identic Note, which was a very foolish one; but that any advice tendered to Turkey in favour of autonomy was as much meddling with the Empire of Turkey as would be the case in any other course which might have been taken.

Motion (by Leave of the House) *withdrawn.*

*Earl Russell*

## TECHNICAL EDUCATION—THE WHITWORTH SCHOLARSHIPS.

### OBSERVATIONS.

Earl GRANVILLE said, that since he had given notice of his Question on that subject—namely, whether Mr. Witworth had offered to Her Majesty's Government to endow some Scholarships for the promotion of Education in Technical Science—he found that the Question had been asked and answered in a satisfactory manner yesterday in the House of Commons, and he had that morning read in *The Times* the Minute of Privy Council, together with an article explaining the whole transaction. It appeared from that Minute that Mr. Whitworth had offered last month—

> "To found thirty scholarships of the annual value of £100 each to be applied for the further instruction of young men, natives of the United Kingdom, selected by open competition for their intelligence and proficiency in the theory and practice of mechanics and its cognate sciences, with a view to the promotion of engineering and mechanical industry in this country, and expresses his hopes that means may be found to bring science and industry into closer relation with each other than at present obtains here."

The sum required for that purpose was nearly £100,000, which would be applied to the purpose above stated under a trust deed; Mr. Whitworth himself taking a part in the management of the trust until his death, after which it would devolve on the President of the Council or Minister of Education for the time being. Considering the largeness of the sum involved, considering also that it was given during the life of the donor, who moreover was willing to devote his invaluable time and labour to carry out the scheme, and considering likewise the results which would no doubt follow from this gift, he believed that that was, without exception, one of the most magnificent presents ever made to this nation. Much had been said lately about technical education, as to whether it ought to be extended, and the best means of doing so. Now, Mr. Whitworth was certainly one of the greatest—better judges than himself said he was the greatest—mechanical engineers of the day; and he believed that his discoveries had almost produced a revolution in the application of scientific principles to objects of civil life as well as to implements of warfare. That splendid benefaction also proved that he had accumulated a large fortune, and that he therefore possessed that knowledge and those habits of business by which alone great manufactories could be successfully carried on. Now, Mr. Whitworth had come to the conclusion that in this country science and industry were not sufficiently connected ; that while we had great scientific men, and some of the best workmen in the world, there was a want of the proper diffusion of scientific knowledge, and there was not a due bringing together of theoretical and practical knowledge. What Mr. Whitworth proposed would not only give an impetus to instruction in science afforded in our primary and secondary schools, but would cause the workmen to be taught the theory of that which he was doing. On the other hand, the man of higher station and greater cultivation would be required to gain a practical knowledge of mechanical industry. Now that, he thought, indicated to the Government and the country the true course which should be adopted on that subject. In the Minute to which he had referred, an opinion was expressed that much might be done by private and local efforts towards providing for all classes in our several large centres of manufacturing industry the means of acquiring instruction in the sciences applicable to productive industry ; and the Committee of Council also added that they would be glad to receive from Mr. Whitworth any further suggestions which he might wish to make, and likewise to assist him in carrying out his object. Now, at a time when he was afraid that our revenue was decreasing and our expenditure increasing, he did not, for himself, desire to recommend any additional public outlay ; but there were purposes for which a moderate expenditure would be perfectly justified, and, he believed, that at the cost of a very small sum of money indeed, probably a few hundred pounds, the Government could offer very material assistance in that respect. A very infinitesimal sum would suffice to defray the cost of conducting, directly or indirectly, the examinations for the proposed thirty scholarships. He had no doubt that Mr. Whitworth's example would be followed. At present there were Professors of Civil Engineering at London University and King's College, as also in Dublin, Belfast, Glasgow, Edinburgh, and Manchester. What had been done by the Government in respect to the teachers in art might be extended with advantage to the professors of science. There was a time when the Government gave a fixed salary to those art teachers, and the result had been most unsatisfactory; but afterwards a different system was adopted, under which guarantees were held out to competent teachers. The effect of that change had been that, in almost all those schools of art, the teachers were earning at least the full amount of the sum guaranteed to them, and in some instances twice and even thrice that amount. He knew not how the case stood now ; but when he was himself in office the Government were not asked for a single shilling to carry out the guarantee. That was a matter well worthy the attention of the noble Duke (the Duke of Marlborough), and therefore, instead of the Question of which he had given notice, he would ask him, Whether the Government had communicated with Mr. Whitworth on the subject, or whether they would themselves consider how the State could, in the most efficient and practical manner, do that which the Government would, he was sure, most willingly do —namely, assist that distinguished gentleman in carrying out his magnificent project ?

THE DUKE OF MARLBOROUGH said, he was sure their Lordships would all feel that the noble Earl (Earl Granville) had not taken up their time unnecessarily in bringing that subject before them ; for a gift of that nature, so munificent in its character, and reflecting such credit on the donor, was one deserving public notice in that House, and he was glad the noble Earl had brought it under their consideration. The noble Earl had accurately stated the facts as they had appeared in the public prints, although the notice of the Minute of the Privy Council had not been inserted in the newspapers officially. He himself, therefore, need not occupy their Lordships' time by narrating what had been already made public. But, for his own part, he must express his satisfaction that Mr. Whitworth had taken the course which was the true and correct course for the manufacturing interest to adopt in this country on the subject of technical education. Great pressure had of late been brought to bear upon the Government from various quarters, to induce them to take the initiative in any steps which might be requisite for promoting the general diffusion of technical education throughout the country. It was not to be lost sight of that the subject of technical education had a special and important bearing and interest upon the manufacturing prosperity of the country, and therefore he thought that, although it was desirable that assistance should be given for the promotion of this object, it would not be sound policy for the Government to step in and initiate very expensive measures on the subject. Those who sought to originate such measures were those who were interested in the manufacturing prosperity of the country. Mr. Whitworth's gift was a step in the right direction, and showed the value he attached to correct instruction in science connected with the industry of the manufacturing population. The noble Earl had stated—and the Minute of Council which had been made public had shown—the action of the Department in regard to Mr. Whitworth's munificent gift. At present the Department had only received an intimation of Mr. Whitworth's intention; and they had at present no knowledge of how he wished the gift to be administered and the exact manner of its practical application. A communication had been made to Mr. Whitworth requesting him to furnish the Department with information on this subject, and the Committee of Council had expressed their willingness to assist him so far as was practicable. They were now awaiting his reply. In all probability Mr. Whitworth would wish to retain the general management of this fund in his own hands during his life-time ; but he would, no doubt, be desirous that the Government should assist him by some mode of examination by which the comparative merits of the candidates for the scholarships should be tested. As soon as the Government were in possession of the precise terms of Mr. Whitworth's gift they would give the matter their best consideration, with the desire of aiding him as far as they could. As to the general question of how far the Government could assist the progress of technical education, he believed that the suggestions of the noble Earl were well worthy of attention. He thought that at a very small expense, and without going the length advocated in some quarters and by some of the deputations that had waited upon the Government on the subject, very considerable assistance and great encouragement might be given to the progress of technical education generally, following out the great principle that local exertions should be set on foot in the first instance. By giving some assistance to professors or to Colleges either now existing or which might hereafter be called into existence, he thought that considerable encouragement might be given to technical education at a very small expense; and he did not think that the public would grudge the expense. It would, however, be premature to form any decision on a subject which was now under the consideration of a Committee of the other House. That Committee would, no doubt, throw a light on the subject, and make practical suggestions which the Government would, he hoped, be able to adopt. It would, perhaps, be for the convenience of their Lordships, that he should lay the Minute of Council on Mr. Whitworth's gift upon the table.

Lord TAUNTON said, that there could be only one sentiment in the minds of the public—especially that portion of it which was connected with manufactures—as to Mr. Whitworth's gift. That very noble gift came at a most opportune time, when public attention was specially directed to the application of science to manufacturing and industrial processes. One of the advantages of the Paris Exhibition had been that English manufacturers and the most intelligent artizans had returned to this country deeply impressed with the feeling that they could not afford to throw away any advantages they could obtain, and that we were bound to educate our people as highly as those of other nations. It appeared to be admitted that many important branches of our manufactures were beginning to feel the effects of a closer competition than they had ever before experienced. It was singularly appropriate, therefore, that, at the present moment, this movement in favour of technical education should have originated from so eminent a mechanician as Mr. Whitworth. He hoped that his example would be followed, as there was every reason to suppose it would, by others, and he had no doubt it would stimulate not only the munificence of individuals, but also that of commercial bodies. It had been supposed that much might be done in ordinary schools of instruction to teach the elements and rudiments of technical education. Having been engaged in an inquiry into the present state of education of the country, he must express his opinion that the education of the children of the middle classes ought not to be of a technical, but of a general character. The general elements of science applicable to all arts ought to be taught ; and a boy who had learnt these would be much better prepared to receive a technical education such as had been pointed out, than he was at present. He heartily concurred in thinking that the country was under great obligations to Mr. Whitworth for his splendid donation. The result would be much greater than the mere gift of money; because it gave the country an example to be followed, and which would in the end produce the most important benefits.

The Duke of SOMERSET said, he wished to bear his testimony to the great value of the gift. He had known Mr. Whitworth pretty intimately for the last twenty years, and had had the pleasure of going down and seeing his establishment in Manchester. It was most interesting to see there the union of science with practical knowledge by which Mr. Whitworth had risen to the great eminence he now enjoyed. There were plenty of good workmen and scientific men; the difficulty was to find a good foreman, who, with the skill of the workman, united a superior scientific education. Mr. Whitworth was himself the very example of the man possessing the knowledge most wanted in this country, as he combined in the highest degree the two qualities. He admitted that it was difficult to give technical education in many branches, but an important step had been already taken by the Government in this direction. A few years ago, with the concurrence of noble Lords opposite, he commenced a system of teaching at Kensington by which shipwrights in the dockyards had an opportunity of acquiring scientific knowledge, so as to combine this with manual skill, and the plan had worked very satisfactorily. He believed an analogous system might be adopted by the introduction of scientific education in combination with manufacturing skill, though he was not an advocate for the Government undertaking technical education in all its branches.

Minute by the Lords of the Committee of Privy Council on Education respecting the Scholarships proposed to be founded by Mr. Whitworth: *Presented* (by Command), and Ordered to lie on the Table.

### PARTITION BILL [H.L.]

A Bill to amend the Law relating to Partition—Was *presented* by The Lord Chancellor; read 1ª. (No. 67.)

House adjourned at half past Seven o'clock, to Thursday the 23rd instant, at a quarter before Five o'clock.

## HOUSE OF COMMONS,

*Friday, April* 3, 1868.

MINUTES.]—New Writs Issued—*For* Launceston, *v.* Alexander Henry Campbell, esquire, Manor of Northstead; *for* Chipping Wycombe, *v.* Hon. Charles Robert Carington *now* Lord Carington.

Select Committee—*Report*—On Army (India and the Colonies). [No. 197.]

Supply—*considered in Committee*—*Resolutions* [April 2] *reported.*

Public Bills—*Ordered*——Entail Amendment (Scotland).*

*First Reading*—Entail Amendment (Scotland)* [86]; Legitimacy Declaration (Ireland)* [87].

*Committee*—Metropolis Gas* [49].

*Report*—Metropolis Gas* [49-85].

*Third Reading*—Local Government Supplemental* [77]; Industrial Schools (Ireland)* [6], and *passed.*

### THE EASTER RECESS.

#### MINISTERIAL STATEMENT.

Mr. DISRAELI: The right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) addressed to me yesterday an inquiry, respecting the adjournment of the House for the holydays; to which I replied that it might be convenient to adopt the suggestion of the right hon. Gentleman that the adjournment should not be moved until after the conclusion of the debate. From what has reached me since, however, I am led to suppose that it would be for the general convenience of the House that the adjournment should be moved at once; although I would not press the Motion now if the right hon. Gentleman strongly objected to it. The Motion I have placed upon the Paper is that the House, at its rising, do adjourn until Monday, the 20th of April. As far as all human arrangements may be considered certain there can be no doubt that the debate will finish to-night. It is possible that there may be two divisions; but, under any circumstances, the House will divide to-night. The ground is a delicate one to touch upon; but I am sure that, in the present unimpassioned state of the House, I may safely allude to what is likely to happen. Either the right hon. Gentleman will have a majority, or he will be defeated upon his Motion that the House do go into Committee. I wish to inform the House what will be the course of the Government under these circumstances—and, in case of a general agreement on both sides, there is no reason whatever why this Motion should not be made at once instead of amid the confusion and excitement that may prevail at the conclusion of the debate at three or four o'clock in the morning. Of course, if the right hon. Gentleman is defeated, the question altogether falls to the ground. But, supposing for a moment—such a supposition, of course, appears most unreasonable—that the right hon. Gentleman has a majority, the course of the Government would be that which was clearly indicated by more than one of my Colleagues, and especially by my right hon. Friend the Secretary of State for the Home Department. What I should propose would be that I should offer no further opposition to the Motion that the Speaker leave the Chair. I should be content that the right hon. Gentleman should go into Committee *pro formâ*, and immediately to report Progress; because I think it my duty to facilitate in every possible manner the right hon. Gentleman in proceeding with his Resolutions. I shall be quite ready to give him a day immediately after the Easter Recess, but upon this point I am entirely in the hands of the House. It might be inconvenient, in consequence of the Royal visit to Ireland, which may detain Irish Members in that country, for the House to go into Committee upon the right hon. Gentleman's Resolutions on the next day after we re-assemble; and the following Thursday has been appointed for the Budget, which, in my humble judgment, should not be deferred. It is of the utmost importance that the financial statement should be made on that day. Should, however, the following Monday, the 27th of April, be a convenient day to the right hon. Gentleman for going into Committee that day shall be at his service for the discussion upon his Resolutions, to which I need hardly say I shall give my most unqualified opposition. The right hon. Gentleman concluded by moving that the House upon its rising should adjourn until Monday, the 20th of April.

MR. GLADSTONE: I do not know whether I am justified in interposing between the House and my right hon. Friend (Mr. Horsman) who had risen at the same moment, but I feel bound to make a protest against the Motion of the right hon. Gentleman opposite, though upon one ground only. I do not intend to persist in my opposition should the right hon. Gentleman not be disposed to give way, nor to press the question to a division. The ground of my opposition to the Motion is that there is a manifest inconvenience in altering to-day that which was settled last night and has gone forth this morning, and has been taken for granted by many hon. Members who are not now in the House. If, therefore, there had been any feeling shown by the House against the proposition of the right hon. Gentleman, I should have felt bound to press my objection. As it is, however, I by no means intend to insist upon it. I will now, with the indulgence of the House, briefly state my view as to the course that should be adopted with reference to the future progress of this question. I am bound to say that in a matter of this magnitude; if it had not been for the circumstance that by doing so we must have encroached upon the Easter holydays, I should have been more satisfied had we proceeded with the consideration of the Resolutions immediately. I should have been ready for that purpose to have made a sacrifice; but, on the other hand, I admit that such a course could not have been adopted without a great departure from precedent and from the customary usage of this House, and it would have been attended with inconvenience, especially as we must have devoted several days to their consideration. Moreover, the very last thing that I should wish to exhibit to the country would be any appearance of hurry in reference to this matter. This is a question which it is very desirable that the House should sift to the bottom, and as, for that purpose, the evenings of Monday and Tuesday next might be insufficient, and as I do not think anything would be gained by commencing the consideration of these Resolutions and then leaving off in the midst of the discussion, I am reluctantly prepared to forego the chance of making progress before the holydays. I have, of course, in the remarks I have made, been proceeding upon the supposition, which the right hon. Gentleman regards as so entirely impossible, that there might be a majority on the Motion for going into Committee. [MR. DISRAELI: I said unreasonable.] Well, we have all seen so many things happen that were strange—the right hon. Gentleman himself has seen so many things happen that were unreasonable, that I think I may venture to contemplate as a possible result the Motion for going into Committee being carried by a majority. As to the arrangements after the holydays, I think the proposal of the right hon. Gentleman upon this subject is altogether proper and satisfactory. I do not think it right to ask him to alter the arrangement made for the Financial Statement, which, owing to the date at which Easter falls this year, is necessarily somewhat late. I am quite satisfied, with the assurance of the right hon. Gentleman, that the first day after that appointed for the financial statement shall be devoted to the consideration of this great and grave question. I have, therefore, no disposition to oppose the proposition that we shall go into Committee on Monday, the 27th of April.

Mr. HORSMAN: I do not intend to oppose the Motion of the right hon. Gentleman; but I must say that I think the course he proposes to take upon this matter is a very unusual one. When the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) brought forward his Resolutions, the right hon. Gentleman the Prime Minister said that a very serious and solemn issue was raised, an announcement that was followed by cheers from his supporters. But now, after the question has been debated for four nights, Her Majesty's Government come forward and state that, whatever may be the issue of the debate, and whatever the decision of the House, they will treat it with such indifference, if not with such contempt, that they will not give it even a respectful consideration. I recollect that last year when the right hon. Gentleman was out-voted on a minor question of Reform, he took two days to consider the course that the Government should take upon the matter. I think that out of respect for the House the Government should have waited to take into consideration the new position in which they may find themselves. They might have anticipated the possibility—however unreasonable it may be—of defeat; and have been prepared to announce whether they had arrived at the conclusion that it was for the public interest, and consistent with their own character, that they should carry out the decision of the House.

Motion *agreed to.*

House, at rising, to adjourn till *Monday*, 20th April.

## THE SCOTCH REFORM BILL.
### QUESTION.

In reply to Mr. Craufurd,

Mr. DISRAELI said, he intended to adhere to the Resolution which he had expressed with regard to the Reform Bills before the House, and not to proceed with the Scotch Reform Bill before the Irish Reform Bill had been read a second time.

## CIVIL SERVICE ESTIMATES.
### QUESTION.

In reply to Mr. Childers,

Mr. DISRAELI said, that the Civil Service Estimates would be proceeded with immediately on the re-assembling of Members after the holydays.

## RETIREMENT OF FIELD OFFICERS OF THE INDIAN ARMY.
### QUESTION.

Mr. DIMSDALE said, he would beg to ask the Secretary of State for India, Whether the Government intend to take any steps towards facilitating the retirement of Field Officers of the Indian Army?

Sir STAFFORD NORTHCOTE said, in reply, that it was considered that the existing arrangements were sufficiently liberal for the purpose, and that it was not considered desirable to re-open the question.

## LAND WRITS REGISTRATION (SCOTLAND) BILL FEES.—QUESTION.

Mr. CHILDERS said, he wished to ask the Secretary to the Treasury, Whether the Treasury have considered the Clauses as to fees in the Land Writs Registration (Scotland) Bill (Clauses 13, 22, 23), the Titles to Land Consolidation (Scotland) Bill (Clauses 60, 63, 102, 147, 148, 178, &c.), and the Court of Session (Scotland) Bill (Clause 13), and whether they will be amended so as to require all fees to be paid into the Exchequer; and, why some of the fees levied in Scotland by these Courts and departments were omitted from the Return, No. 223, of Session, 1867?

Mr. SCLATER-BOOTH was understood to say, that he believed there would be no difficulty in making the amendment alluded to by the hon. Gentleman. With regard to the second Question he was informed that there were no salaries charged by Law on the fees taken in the Courts mentioned.

## BANKRUPTCY (IRELAND).
### QUESTION.

Mr. Serjeant ARMSTRONG said, he wished to ask Mr. Attorney General for Ireland, Whether he sees any objection to extending to Ireland the provisions of the

Bankruptcy Bill and the Judgment Debtors Bill, as presented by the Lord Chancellor to the House of Lords; and, whether he will introduce a Bill for the purpose during the present Session?

THE ATTORNEY GENERAL FOR IRELAND (Mr. WARREN) said, in reply, that there was no objection that he was aware of to the introduction of such a measure; but, as the English Bill consisted of more than 500 Clauses, he did not think there would be any chance of extending it this Session to Ireland.

## BOARD OF TRADE—PRIVATE BILLS.

### QUESTION.

MR. WALDEGRAVE-LESLIE said, he wished to ask the Vice-President of the Board of Trade, Whether, Parliament having required a Report from the Board of Trade as to their opinion upon certain Bills, and the Board of Trade having reported their opinion unfavourably to them, the Board of Trade intend taking any steps to prevent the following Bills passing into Law in their present shape,—namely, the Tower Subway Bill, the Fareham and Netley Railway Bill, the Dungarvan Harbour Bill, the North British Railway (Forth River Railway) Bill, and two Isle of Wight Railway Bills?

MR. STEPHEN CAVE in reply, said, the duty of the Board of Trade was confined to making these Reports for the information of Parliament, and especially of the Committees to which the Bills were referred. Formerly, the Board of Trade made Reports on all Railway Bills; but those Reports were of little value, though they caused much expense and trouble. They were discontinued last year; and the only Reports now made were in case of Bills which, in the opinion of the Board's professional officers, were likely to affect injuriously tidal waters. The Reports were very carefully made; but, at the same time, they represented merely the opinion of individuals. It was, however, of course competent to the Committees to require the attendance of those officers for the purpose of testing their conclusions, or making further inquiries.

## MEMBER FOR THETFORD—TITLES OF DIGNITY.—QUESTION.

MR. DARBY GRIFFITH said, he would beg to ask the First Lord of the Treasury, Whether it is the intention of the Government to advise the Crown to confer a title of dignity on one of the Members for the Borough of Thetford; and whether this honour is due to any arrangements with the Government as to the Representation of that Borough?

MR. DISRAELI: Sir, it is the habit of my hon. Friend to ask Questions which do not comply certainly with the conditions of social life and, as far as my experience in Parliament is concerned, scarcely with those of political life. I am at a loss to ascribe any definite meaning to this Question of my hon. Friend. At one time I thought that probably some one of whom he had been making similar inquiries had been practising on his frank intelligence. Then I thought it might be that he was made the instrument of bringing before the consideration of the Government the claims of some particular friend. The third interpretation I put upon it was that perhaps my hon. Friend desired to remind us that, should it be the intention of the Government to offer any advice to the Crown to confer titles of dignity, and especially the title of Baronet, there was one person who had paramount claims to such a favour. It is always my anxious desire to give the utmost information in my power to the House when any hon. Member, in the exercise of one of his most important privileges, interrogates the Government; but I will ask the House, in its candour to weigh the language in which this inquiry is made, and to sympathize with me in the trouble which grappling with so abtruse a Question entails upon me. The hon. Gentleman asks me whether it is the intention of the Government to advise the Crown to confer a title of dignity on one of the Members for Thetford, and whether the honour is due to any arrangement respecting the representation of that borough? Now, Sir, I think the House will agree that when inquiries of this nature are made of a personal and delicate kind they should at least be precise. No hon. Gentleman is justified in making such inquiries unless he is in possession of some information. How am I to understand to whom my hon. Friend refers by "one of the Members for Thetford?" I have inquired into the representation of the borough of Thetford, and find that it is represented by my right hon. and learned Friend the Lord Advocate, who has recently appeared before the constituency; and therefore the only interpretation I can put upon this inquiry is that the hon. Gentleman wishes to know whether, in order to induce the Lord Advocate to stand for the borough of Thetford; I have recommended Her Majesty to confer upon him the title of Baronet. I can assure my hon. Friend there is not the slightest foundation for that impression; whatever may be the ambition of my right hon and learned Friend the Lord Advocate, it has not yet assumed the form which he evidently imagines. If the position of the other hon. Member for Thetford (Mr. R. J. H. Harvey) were not of so acknowledged a kind, I might be tempted to imagine that he had asked the hon. Member for Devizes to make this inquiry. But, as it is, I feel bound at once to state that no application has been made to me, either directly or indirectly, by either of the Members for Thetford; and that, therefore, under these circumstances it has not occurred to me to consider whether it was my duty to recommend Her Majesty to confer on either of those Gentlemen the dignity of Baronet.

## ARRESTS IN IRELAND.—QUESTION.

Mr. REARDEN said, he rose to ask the Chief Secretary for Ireland, The nature of the charge under which Mr. John Downy, a merchant tailor of Dawson Street, Dublin, has been arrested and imprisoned for the last two months; whether it be true that detectives called upon him for information respecting a person named "Lennon," and on his asserting his ignorance of anything respecting the said "Lennon," they threatened to arrest him, and subsequently returned and did take him to prison; and, whether it be true that Mr. Downy's wife and eight children are reduced to a state of starvation in consequence?

The Earl of MAYO stated, in reply, that John Downy had been arrested simply because he was suspected of having been engaged in treasonable practices, and that the circumstances related by the hon. Member, even if they had occurred, would not in any way have influenced the case. He was informed, however, that a conditional order of discharge in the case referred to had been made out the day before yesterday.

## TURNPIKE TRUSTS.—QUESTION.

Mr. WHALLEY said, he would beg to ask the Secretary of State for the Home Department, Whether it is the intention of the Government to introduce this Session any Bill for the further continuance of Turnpike Trusts, of which the original Acts have expired; and, if so, whether it is their intention to include therein, or otherwise to submit for consideration, any plan tending to the abolition of Turnpike Trusts; and at what period of the Session any such Bills may be expected to be introduced?

Mr. GATHORNE HARDY, in reply, said, a Bill on the subject was in course of preparation; buthe did not think it would be wise to submit it to the House without consulting with those who had given much attention to it, nor did he think it would be desirable to bring forward a question likely to give rise to so much discussion at a late period of the Session.

## ARMY—ALLEGED FLOGGING OF MULE DRIVERS IN ABYSSINIA.

### QUESTION.

Mr. BUXTON said, he would beg to ask the Secretary of State for War, Whether his attention has been called to a letter, dated Zulla, March 4, which has appeared in the newspapers, and which states that the Turkish and Egyptian Drivers had been left for days without food or water, were flogged daily by fifties, and were finally sent off, almost in a state of nakedness, though the weather was very cold; and, whether he will make inquiries into the truth of this story, and ascertain who was responsible for the management of these drivers?

Sir STAFFORD NORTHCOTE said, in the absence of the right hon. Gentleman the Secretary of State for War, he had to state that his attention had been drawn to the subject a few days ago by the hon. Member for Derby, and he had in consequence written to Sir Robert Napier to inquire into the truth of the story. He could not but believe that the statement was greatly exaggerated.

## THE PLAY OF "OLIVER TWIST."

### QUESTION.

Mr. BRADY said, he would beg to ask the Secretary of State for the Home Department, If his attention has been directed to a paragraph which has appeared in several of the daily papers, to the effect that the Lord Chamberlain had refused to licence a play dramatised by Mr. Oxenford from Mr. Dickens's celebrated work of "Oliver Twist," and that all plays from the same Work were interdicted in London as being offensive to parish beadles; and, whether he approves of the

Lord Chamberlain's consideration for the feelings of the parish authorities?

**Mr. GATHORNE HARDY**, in reply, said, the fact was that, many years ago, two plays, which were supposed to be doing a great deal of harm—one of them named *Oliver Twist* and the other *Jack Sheppard*—were prohibited. The play referred to by the hon. Member, which had been dramatised by Mr. Oxenford, had been licenced by the Lord Chamberlain, who, he could assure the hon. Member, had not been petitioned by the parish beadles; consequently, the Question of the hon. Member was altogether founded in a mistake.

## IRELAND—THE REGIUM DONUM.

### QUESTION.

**Mr. VANCE** said, he wished to ask the right hon. Gentleman the Member for South Lancashire a Question of which he had given him Notice—namely, Whether, in the arrangements he proposes respecting the Ecclesiastical Endowments of Ireland, he contemplates the maintenance or withdrawal of the Grant given to the Presbyterian and Nonconforming Ministers of Ireland—a Grant commonly called the Regium Donum?

**Mr. GLADSTONE**: I cannot avoid, Sir, saying that I think the multiplication of Questions of this class is of a nature not very consistent with the usages of this House. When we are engaged in the discussion of a question, I think it is better that all explanations should be given within the time which is appropriated to that discussion; and I hardly know whether I am justified, after having answered the Question of the hon. Member for Peterborough (Mr. Whalley) last evening, in answering this. It would, however, be discourteous to remain silent under the Question that has been put by the hon. Member; but I hope the Answer will not be drawn into a precedent. I venture to say that I think the Question shows that the hon. Gentleman has not given his mind to the statement I endeavoured to make to the House—namely, that I do not intend to propose—and I consider it wholly beyond the limits of my duty to propose—any plan for settling or disposing of the question of Ecclesiastical Endowments in Ireland. I have ventured to state to the House, and, to a certain extent, to ask the assent of the House to certain principles and leading propositions which, it struck me, ought to be included in such a plan. The only propositions I have made applicable to the subject-matter of this Question are these—In the first place, that I consider all the principles of equity and consideration upon which I should propose and desire to deal with the Established Church must—I will not, however, say "must," because that is not a Parliamentary word—but ought, after we have determined how to deal with the Established Church, to be applied in their full breadth to those other bodies who have Ecclesiastical interests in connection with the State. That is the first proposition; and the second is, that, by arrangements of some kind introduced into such plan, provision should be made for relieving the Consolidated Fund from payment for the purposes of religion in Ireland.

## IRELAND—THE MAYNOOTH GRANT.

### OBSERVATIONS.

**Mr. WHALLEY** said, he wished to advert to the Answer given him yesterday by the right hon. Gentleman the Member for South Lancashire, and for the purpose of doing so he should move the adjournment of the House. The Question he asked the right hon. Gentleman was, Whether he was prepared, in the event of his Resolutions being carried, to support the repeal of the Maynooth Grant? The Answer he received from the right hon. Gentleman was, that he should be prepared—or something equivalent to that—to relieve the Consolidated Fund of the charge for Maynooth. The right hon. Gentleman, however, was pleased to say that he would reply more fully to the Question at the close of the debate. The point, however, to which he (Mr. Whalley) wished to call attention was one that greatly affected the feelings of many persons who were watching this debate. The right hon. Gentleman would please to observe that he had not answered the Question which he had put to him. He took no interest in the question of the Consolidated Fund, or whether it was or was not to be charged with the payment of the Maynooth Grant. What he desired to know was, whether the Act for the endowment of Maynooth College, taking that institution out of the control of Parliament, was to be repealed or not? He thanked the right hon. Gentleman for the courtesy of his reply; but he regretted that his feelings and his sense of duty obliged him to ask for a more satisfactory explanation. He trusted that in his reply at the close of the debate the right hon. Gentleman would specifically answer the Question, Whether or not he was prepared to support the repeal of the Act for the endowment of the College of Maynooth? He would beg to withdraw his Motion for adjournment.

## RIOTS IN BELGIUM.—QUESTION.

Mr. GRANT said, he would beg to ask the Secretary of State for Foreign Affairs, If he could afford any information with regard to the riots in Belgium, whereby ten men lost their lives, and a large number were seriously wounded?

Lord STANLEY: The reports which I have received as to the recent disturbances ascribe them, not to any political cause, but to discontent among a portion of the mining population, caused by a recent reduction in the rate of wages. I have not heard anything about money being distributed among the insurgents; indeed I apprehend that it would be hardly proper to speak of them as insurgents; the whole thing appears not to have been so much an insurrection as a riot, though, undoubtedly, a riot on a rather serious scale.

## ESTABLISHED CHURCH (IRELAND).

### MOTION FOR A COMMITTEE.

### ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [30th March],

"That this House will immediately resolve itself into a Committee to consider the said Acts,"—(*Mr. Gladstone:*)

And which Amendment was,

To leave out from the word "House" to the end of the Question, in order to add the words "while admitting that considerable modifications in the Temporalities of the United Church in Ireland may, after the pending inquiry, appear to be expedient, is of opinion that any proposition tending to the disestablishment or disendowment of that Church ought to be reserved for the decision of a new Parliament,"—(*Lord Stanley,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

Mr. COLERIDGE: Although I have meditated on the subject of to-night's debate from time to time as long as I have had anything which I could call a mind, and although for a great number of years I have maintained one and the same conviction, and that as strong a conviction as can be formed upon any subject, I do not know that I should have asked for the attention of the House in this debate were it not for some of the observations which have fallen from the right hon. Gentleman the Secretary of State for the Home Department, and from the right hon. Gentleman the Secretary of State for India. I agree with a great many of the principles, as far as they may be called Church principles, stated by those right hon. Gentlemen; and I am not disposed to quarrel with the terms which those right hon. Gentlemen used in stating those principles. And, yielding, as I do, to them in every other respect, but not yielding to them in the slightest degree in dutiful and humble allegiance to the Church, of which we are all members—[*Laughter*]—I mean all three of us—I desire to show how this matter can be approached from an English Churchman's point of view, and what a fallacy there is in the suggestion which is made that there is any inconsistency whatever in a man who hopes to die as he has lived, in full and undoubted communion with the Church of England, nevertheless desiring with his whole heart, and striving with his whole strength, to bring about the total abolition of the Establishment in Ireland. No doubt it is a common notion, which we have heard repeated several times in the course of the debate, that any man who touches or presumes to deal with the political condition and the social *status* of the Church, thereby deals with or touches the Church herself, and must needs be her enemy. And yet I venture to say a more baseless, groundless, utterly unhistorical notion it is difficult to conceive. Why, the Church existed and flourished ages before there were any such things as Establishments at all; she exists and flourishes at this moment in many countries—some of them colonies of our own, some of them foreign countries—in which there are no such things as Establishments. She is destined, in my belief, to survive for long ages their universal overthrow. With the doctrine, with the discipline, with the inner life and divine character of the Church, Parliament has, and can have, no claim whatever to intermeddle. Parliament did not create these things, and Parliament cannot alter or destroy them. But with the social condition, with the political surroundings, with the temporal accidents of the Church—with all that goes to make up the complicated idea which we express by the word Establishment, as it seems to me, the State has just as clear a right to deal as it has to deal with any other great institution of the country. Not more right, not less, but just the same. And wherever else this proposition may be disputed, and by whomsoever else this statement may be questioned, it cannot, I think, be questioned by any English lawyer, or disputed in an English Parliament,—and for this reason. Those of us who have the misfortune to be familiar with the text of our statute book know that the statute book opens with Magna Charta ; but the first real Parliaments, and the first real statutes, date from the early years of Henry III. In the very infancy of our Parliaments—in 9 Henry III. and 7 Edward I., and in long succession afterwards — are to be found statutes of Mortmain. Read in their literal acceptation, those Acts forbid, in terms, the creation of any religious endowment in the future. No doubt there were political and feudal reasons for that interference with the rights of private property ; and no doubt, also, those statutes were from time to time evaded, as they were enacted and re-enacted again and again in even stronger, more elaborate, more stringent terms. But I maintain, and I defy it to be denied, that they were from the earliest times notice to all mankind that the State of England and the Parliament of England claimed to have this matter of endowments in their own hand; that they claimed to deal, and did deal, with this kind of property more freely and more peremptorily than with any other kind of property whatsoever. Any man, therefore, in England who gave property for religious uses, whether in his lifetime or after his decease, gave it with full notice that the holding of his gift would be interfered with, if it should turn out that the holding of it by ecclesiastics was prejudicial or inconvenient to the interests of the State itself. I submit that this is the very least weight which ought to be given in any fair argument on this subject to the long succession of statutes of Mortmain. But to pass away from the statutes in the English statute book, the smallest consideration of general principles would lead one to the same conclusion. Persons who deny the right of the State to interfere with matters of this kind, do not attend sufficiently to the meaning of the words they use, and forget the very objects of society and the reasons and purposes for which States exist. I have read in a work of good authority that in Sweden, at the time of Gustavus Vasa, more than half of the real property of the kingdom was held for religious uses. Such a proportion would at once be a *reductio ad absurdum* of the argument for the sacredness of property so held ; but I care not whether the amount was so great as one-half, because no man of sense would deny that a far less proportion would justify and, indeed, compel, the interference of the State to redress the evils which such a condition of things would, of necessity, engender. Therefore, the consideration in this case will be whether the condition of things is such as the State can approve. If not, the State has a perfect right to interfere. I apprehend that if this be the proper consideration in such cases generally, it applies with particular force to the case of the Church of England, or to the case now under discussion, that of the Church of Ireland, because both those great communities hold a large amount of property on new terms imposed at the time of the Reformation. The right hon. Gentleman the Home Secretary was quite correct in saying that there were no statutes which, in terms, transferred the ecclesiastical property in Ireland from one Church to the other ; but in 1560, under the Lord Deputyship of Lord Sussex, there were passed the Act of Uniformity and the Act of Supremacy ; and, at that time, the Prayer Book was set up instead of the Mass. Therefore, though, as the right hon. Gentleman said, there were no statutes transferring the possession of the property in substance, it was transferred by the statutes to which I have referred, because those statutes changed the terms on which the property was to be held. Further, the representatives of the great English families, whether in this House or the other, can scarcely dispute the fairness of the proposition which I have laid down, because there is hardly one of them who does not hold from the State grants of Church lands, not, perhaps, among the oldest, but certainly among the best and most valuable, of his title deeds. It is plain, then, that in dealing with these questions you must be guided by considerations of degree, of circumstances, of prudence, and of common sense. Arguments drawn from these considerations must be used if the Church of England were before us ; and it is upon arguments such as these that, in my opinion, she could be irresistibly defended. But it is not the case of the Church of England which is before us. It is the case of the Church of Ireland; and on arguments such as those to which I have referred she is utterly and absolutely indefensible. But when we proceed to apply these principles to the case of the Church of Ireland, we are met by two objections, which, if they are well-founded, go to the root of the matter; which, therefore, with the leave of the House, I will endeavour to examine. It is first said that the principle of Establishments is attacked, and that if you give up the Church of Ireland you must give up the Church of England also. Next, it is said that there was a compact made at the time of the Union, and that a sort of understanding was come to at the time of the passing of the Catholic Emancipation Act; and that what is now proposed to be done is in direct violation of what was, at all events, a moral compact between the great parties of the State. As to the principle of Establishments being attacked, I deny it altogether; because I do not admit in the sense, in the only sense, in which the words can be used so as to be any argument in a discussion of this description, that there is any such thing as a principle of Establishments at all. One can understand the principle of justice or the principle of love of your neighbour; or, taking a lower example, the principle of Free Trade, or the principle that taxation and representation ought to be correlative. These are things which are true in themselves—true in the abstract. They do not depend on time, or place, or circumstance; they are principles which ought to be observed everywhere and always. But in respect of Establishments, time, place, and circumstances, are the very essence of the question. What is fit here may be unfit there; what is tolerable here may be intolerable there; what is fit in one age may be unfit in another; what may, perhaps, be particularly suited to the condition of things in England may be particularly unsuited to the condition of things in Ireland. If all this talk about principle means only this—that, supposing an exactly analogous state of things exists in England to that which exists in Ireland, if you give up the Irish Church you are bound to give up the English Church also—why, then in fairness and candour I grant it you at once. But while the condition and the circumstances of the two countries are wholly different, what minutest step in the argument have you gained—if it is to be argument of fact and common sense—by the concession I have made? Take, again, the arguments founded on the compact at the time of the Union and the understanding at the time of Catholic Emancipation. I want to know in what sense the right hon. Gentleman the Home Secretary, who—if I may take the liberty of reminding him of it—was not so long ago a good and successful lawyer, put to the House that there was a compact at the time of the Union? He does not mean to say that anything could be done by one Act of Parliament which another Act of Parliament could not undo. He cannot gravely mean to contend that there is anything in the Act of Union which makes it different from any other Act, so as to put it beyond the competence of the Imperial Parliament to repeal it. He quoted a passage from Lord Ellenborough; but I should be very glad to know whether it was from a speech or from a judgment of Lord Ellenborough. I believe that, however sincere in his convictions, Lord Ellenborough was a thoroughly narrow-minded politician; and I have not the same respect for him as a politician that I have for him as a lawyer delivering a judgment in the Court of King's Bench. It struck me that the passage quoted by the right hon. Gentleman sounded much more like one from a speech in the House of Lords than one from a judgment delivered in a Court of Law. At all events, I am quite sure that the great men who passed the Act of Union—Mr. Pitt, Lord Castlereagh, and Lord Cornwallis—were the last men to put forward the argument that what they were doing was to tie the hands of Parliament in future. Taking the matter however, on lower ground, if it is said that touching the Establishment was no part of the measure of the Union, that is quite true. It is quite true, also, that those who passed the Union were firmly determined in this matter to keep things as they were. Again, as to what passed at the time of Catholic Emancipation, if all the authors of that measure, especially the great Lord Plunket, said, over and over again, that they believed the position of the Established Church in Ireland would be strengthened by Catholic Emancipation, I venture to think they said what was quite correct; because I believe that, but for the mitigating effect of the Act of 1829, the Irish Establishment would long before this have been swept away from off the face of the earth amidst the universal indignation of the people. So much for those preliminary objections. The question as to the Irish Church endowments is in its nature like that as to any other great features of the Constitution; for example, the law of primogeniture, the law of hereditary legislation, the law of wills, the law of entail, the law of marriage and divorce—all important laws which have been enacted within historic times, which have been altered and may, perhaps, be altered again, but which ought not to be altered without great and overwhelming necessity. They are laws as to which a heavy *onus probandi* rests on those who would alter them; but which it would be, nevertheless, the duty of Parliament to alter at once if, in the opinion of the great majority of the people, they came to work badly instead of well. But then it is said that we ought to abstain from applying this principle to the case of the Church of Ireland, because it is alleged that the Church of England and the Church of Ireland are part and parcel of one another, and that if we touch the one we must necessarily touch the other. Now, even if this were true, it would be no good plea in Parliament; for Parliament has already dealt with this question, and is in consequence perfectly competent, if need be, to deal with it again. I respectfully maintain, however, that the allegation is not correct. When have the Churches of England and Ireland been united? If the word "Church" be understood as signifying a religious body I apprehend that the 5th Section of the Act of Union could not unite the Irish to the English Church; and if it could unite the two, what an Act of Parliament has done an Act of Parliament can undo. If you speak of the Churches as religious bodies, I want to know when they were united, for certainly no Convocation or recognized organ of the Churches was ever consulted on the matter. Then, it is said there is a want of generosity on our part, and that we have no right in this unfair and unhandsome way to desert a weak ally. Again I say that I do not quite realize or understand this language. Rhetoric and metaphor are admirable and excellent things in their way, but they form exceedingly bad premises for practical conclusions, and we have no business whatever to look at this matter as a matter of generosity at all. The question at issue is this:—"Has the maintenance of the Irish Church Establishment always been, and is it now, a grave and great injustice to the vast majority of the people of Ireland?" If it is we have no right whatever to be generous at their expense; for it is a mighty poor sort of generosity which is founded on injustice, and it argues some confusion of thought to use such an argument on such a subject. I venture to say that this case must be tried by the ordinary rules, and that if the Irish Church is to be defended at all it must be defended by ordinary arguments. Now, can the Irish Church be so defended? Whether it can or not, at all events, this debate has given us mighty little means of more satisfactorily answering that question; for, with the fullest recollection of the speech of the right hon. Gentleman the Secretary of State for the Home Department, I yet venture to say that in the course of the three nights' discussion no one has put forward a defence of the Irish Establishment on principle, and with a due consideration of the facts of the case which he had to defend. Certainly, no one has put forward a defence of the Establishment with anything like force or heart, no one above all occupying the position of a responsible Minister of the Crown. We have listened, indeed, to excuses more or less fair for not defending the Irish Church, and to reasons more or less good why the Irish Church cannot be defended; but I venture to say that we have heard nothing from any Member who has yet addressed the House which can be called a real defence of the Irish Establishment as it exists in 1868. That being so, I feel it would be a waste of time to enter at any length upon the miserable history of this strange and utterly indefensible Establishment. Those who care for it and who wish to make themselves masters of that wonderful and disgusting chapter in the history of human nature may turn to Hallam, or Burke, and to the latter volumes of Mr. Massey's *History*, where they will find an account of the foundation and maintenance of the Establishment in Ireland. It is, perhaps, worth while to turn merely for a moment to those pages in order to see by what force and fraud it was originally set up. We have had letters referred to in this debate, some of which were anonymous, and most of them recently published, but I will take the liberty of reading an extract from a very old letter, which is not anonymous, and which has not yet been published. The letter was written by Mr

Edward Waterhouse, Secretary to the Irish Government, and in it he communicates his opinions on the subject of the Irish Church to Sir Francis Walsingham, afterwards Minister to Queen Elizabeth. The date is June 14, 1574, some years after Lord Sussex's Lord Deputyship. Waterhouse says—

> "I am bold to tell your honour what I hear of these things, because it is meet you should know them, and because you must be the instrument to redress them. But whensoever any alteration shall happen, let all offices be given to soldiers of experience, and to none others. I would the Queen would also so bestow her bishoprics; for here is scarcely any sign of religion, nor no room for justice till the sword hath made a way for the law."

That is an interesting document, which will probably see the light before long in one of those curious volumes which are in course of publication under the direction of the Master of the Rolls. In the histories to which I have referred you may see also how, after the battle of the Boyne, the Church Establishment was supported by that long array of penal statutes which have been described as the wonder and the disgrace of this nation, and to which, as far as I know—and I am not speaking rhetorically—the history of mankind affords no kind of parallel. Let no man say it is a waste of time to recall these things because they have passed away and are forgotten. It is, indeed, quite true; and let us be very thankful for it that they have passed away; but they are not forgotten. And it is well that we, the Imperial Parliament of this country, should be reminded now and then to what ferocious lengths of cruelty political fanaticism is capable of going under the name of religion and with the sanction and applause of a whole bench of Christian Bishops; and with what infernal and persistent malignity the forms of freedom and the machinery of Parliamentary institutions may be employed to corrupt and degrade a whole people. You may read in the correspondence of Lord Cornwallis, not so very long ago, what frightful cruelties were wrought upon the fathers and the near relations of many men who are now alive, and who have heard their fathers relate them, in spite of the earnest and repeated remonstrances of that excellent and humane Viceroy, in defence of Protestant ascendancy and in the name of the Protestant Church. We do not like to hear these things talked about now, and we are heartily ashamed of them; but we keep up the institution which was their cause and is their symbol. Depend upon it, that as long as we choose to keep up that Church, so long we must expect it to cripple and interfere with our influence and prosperity both at home and abroad. Abroad it works in this way: England is the chief Protestant Power of Europe, and although, as the hon. Member for Birmingham (Mr. Bright) has pointed out, the country is withdrawing, with the general assent, under the wise counsels of the noble Lord the Secretary of State for Foreign Affairs, from that intermeddling in foreign questions which was formerly the rule, still, as an independent, an impartial, and a wholly disinterested country, a great and commanding influence might belong to her in favour of toleration and liberality abroad. But no one who knows foreign people and foreign countries can be unaware that the Irish Church and the condition of the Roman Catholics in Ireland are flung in our faces with irresistible force when we would plead in favour of tolerant measures, and that the sincerity of our preaching on such matters is sorely discredited by the extraordinary contrast afforded by our practice. The first Napoleon, who was no bad judge of such a matter, considered that the state of Ireland operated to divert 30,000 or 40,000 from our army in time of war. And in more personal and more internal matters the failure of the system is the same. We know that the Church Establishment has failed altogether as a preacher of Protestantism. We have heard enough of the scandal of churches without congregations, pastors without flocks, the absence of an Irish Bible, and of a professorship of Irish, and of any attempt to educate, or instruct, or elevate the people during the long centuries which have elapsed between the time of Lord Sussex until now. All these things are traceable, directly or indirectly, to the Irish Church. They have been insisted upon again and again, with overwhelming force, by many illustrious men, and by no one more forcibly than by the late Lord Macaulay. The statements made by these men have not elicited even the semblance of an answer, because they are irrefragably true. It can hardly be denied—indeed, it is admitted by her worst enemies—that the Church of England is, upon the whole, a liberal and a tolerant institution, and that she has stood up for freedom and breadth of opinion in this country. But by the cruel necessity imposed on her by her position, the Church of Ireland must needs be as intolerant and as bigoted as she can. The reason is obvious. It is only by insisting on her difference from the Roman Catholic Church, by refusing to acknowledge a common Christianity between herself and the religion of the majority of the people, and by enhancing all the evils of that system and minimizing all the good in it, that she is able to maintain her position. And any attempt like that made by the admirable and excellent Bishop Berkeley to approach the Roman Catholics on the ground of common Christianity, and to treat them with Christian charity does but bring out in more revolting outline the glaring injustice of their relative political positions. And this is an evil for which nothing but total disestablishment can be a remedy. That being the state of the case, upon what grounds are we asked not to disestablish the Irish Church? It has been said, and gravely said, that this is a sentimental grievance; that it is not a thing of which the Irish people have any right to complain at all; that Ireland is flourishing; that the laws are fairly administered; and that the Government is not conducted in anything like a hostile or oppressive spirit. The last statement is no doubt perfectly true. Further, it is suggested that this is hardly a real agitation; that it is got up by English agitators for factious purposes, and that in the main the Irish people do not share it. Sir, if that last assertion be true, it is about the strongest argument in favour of our case which the wit or ingenuity of man could by possibility devise. As Burke says, in one of his papers on this subject, human nature must be degraded before it can be safely insulted. If it were really true that the Roman Catholics of Ireland felt the English Establishment in Ireland to be no insult and no injustice, this would show that the iron had indeed entered into their soul, and that centuries of humiliation had at last done their work. But, Sir, nobody believes this. At least, whatever else they are, the Irish are brave and high-spirited. In this, if in nothing else, they are like ourselves. Make the case our own. Should we endure it for a single year? Should we ever rest until we had got rid of what the First Minister of the Crown, not in heedless rhetoric, but with excellent reason, has called an "alien Church?" Suppose it had pleased Providence that the first Napoleon, with the whole power of Europe at his back, had at last worn us out and, instead of dashing himself against the rocks and snows of Russia, had succeeded in annexing us as a subject kingdom to his almost universal Empire. Suppose he had installed Catholic bishops in our cathedrals, placed Catholic priests in our livings, created a Catholic nobility, and governed us by a great Catholic ascendancy. Do you suppose that the people of this country would have rested before they got rid of what I find the hon. and learned Member for Sheffield (Mr. Roebuck) in 1849 called—and I adopt the term—"a badge of slavery?" Of course we should not. And what should we have thought if some one like the noble Lord the Member for Londonderry (Lord Claud Hamilton) had got up in the House of Assembly in Paris, and said, "This is a pack of stuff. The English are flourishing; they have got their commerce and their agriculture; the law is well administered; they have toleration for their religion; nobody really complains in England; it is a thing got up by a crew of French agitators in this country for the purpose of worrying, for factious objects, the patriotic Government of His Majesty the Emperor." Of course it is idle to waste time upon arguments of this description; and I want to know why we are to stay our hands from plucking up by the roots this system—of course with the tenderest regard—[*Ironical cheers*]—I say with the tenderest regard to the vested interests of those many admirable and excellent people who now adorn the Irish Church, and of whom it may be said, in the language of truth and without the least admixture of flattery, that their faults are faults of the system and that their virtues are their own? We have had answers to that question, and I will deal very shortly with them. The right hon. Gentleman at the head of the Government (Mr. Disraeli) writes a letter upon this subject—a letter which, says my noble Friend opposite (Viscount Cranborne), greatly re-assured him, and which he looks upon as the charter of the Irish Church. Now, I cannot help thinking that, though that letter has been criticized already from many points of view, the author of that composition is so myriad-minded that it admits yet of a new view. I remember that long ago, in 1852 or 1853, in the days of the Papal aggression, the noble Earl then at the head of the Government wrote a letter which was called the Durham letter, and I well recollect that the right hon. Gentleman now at the head of the Government alluded to it. I suppose he had then gone from below the Gangway, and had ceased to use "heedless rhetoric," but he had taken to epigram. At any rate, I remember as a mere out-sider—being excessively tickled and amused by the vigorous and epigrammatic onslaught which he made upon that letter. He said of the Government of the noble Lord—and if he was here I am sure his "historic conscience" would bear out my quotation—that they were about to collapse "from a union of epistolary rashness and financial imbecility." These were memorable words. The right hon. Gentleman does himself great injustice in saying that he is heedless. Heedless is the very last thing that he ever was or could be; and I cannot help thinking that this letter, which re-assures my noble Friend so much, was not a rash epistle, was not carelessly, but carefully written for an object—namely, for publication and as a manifesto. Now, will you find one single word from the beginning to the end of that letter about the Irish Church? There is a great deal about the crisis in England. There is a great deal about Church and State—I suppose in England; but of the Irish Church, which was the matter in hand, not a single syllable. There is not a word, not a letter, to justify any Gentleman on either side in accusing the Prime Minister of a breach of faith if he brought in a Bill to disestablish the Irish Church to-morrow. I do not say that the right hon. Gentleman is going to do this. All that I can say is that I think my noble Friend is a little too easily re-assured. Well, then came the noble Lord the Foreign Secretary. Did he say that the Government were not going to disestablish the Church? Nothing of the sort. He spent his time in a great deal of verbal criticism which, considering his high position in this House, I rather wondered he should condescend to. But there was nothing against disestablishment. Next came the right hon. Gentleman the Secretary of State for the Home Department. Did the right hon. Gentleman say that his Government were not going to disestablish the Irish Church? No. He said that he would not have a hand in disestablishment. He said nothing should induce him to touch it, and I quite believe him. If done at all, he said, it should not be done while he was upon the Ministerial Bench. But though from his strong feeling and manifest sincerity it would have done his heart good if he could have said, "The Government are determined under no circumstances to disestablish the Irish Church," he was too honest, too truthful, too high-minded to give utterance to a word of the sort.

Mr. GATHORNE HARDY: Pardon me, I said, and said most distinctly, that the Government would offer every opposition to such a Resolution as that of the right hon. Gentleman; and that they would not take any part in the disestablishment or disendowment of the Irish Church.

Mr. COLERIDGE: I still understand the right hon. Gentleman as I understood him before—namely, that they would offer every opposition to these Resolutions; and that, as a Government, they would take no part whatever in disestablishing the Irish Church. Of course, I have too much respect for the right hon. Gentleman not to accept his assurance that, as long as he remains a member of the Government, no such step will be taken. But I do not see in anything he has stated a contradiction of the statement I have made—that there is no guarantee in anything he has said to the House that the Government of which he is a member may not by-and-by disestablish the Irish Church. ["Oh, oh!"] Well, I shall not enter into a struggle of assertion with the right hon. Gentleman, and probably the fault is mine in not understanding his explanation. We were then enlightened by my right hon. Friend the Secretary of State for India. Did he do more than criticize the Resolutions of the right hon. Gentleman, give a great many reasons why we should not go into Committee, and express an opinion which is, no doubt, perfectly true—that when we get into Committee we shall have to deal with a great many extremely difficult points of detail. On the part of another Member of the Cabinet the noble Earl opposite (the Earl of Mayo) there has been hitherto not a little reticence. One would have thought that in his position as Chief Secretary for Ireland he would have been put in the front, but perhaps he will favour us with his views before we have done. I want to know upon what grounds you ask us to stay our hands, and say that we should not proceed to vote upon the question before us? Do you really want information? Is there any information you will have twelve months hence which you have not now? Are the 300 years which have elapsed since the time of Lord Sussex not enough? Are the sixty-seven years which have elapsed since the Act of Union not enough to give you information, and to determine your judgment? It is perfectly true that in February or March next you will have been twelve months longer in office. But what sources of information will be open to you in 1869 which do not, if you choose to look at them, now lie open before your eyes? Upon what grounds, then, do the Government of Her Majesty, the Leaders of the House of Commons, and the leaders of public opinion in this country withhold a declaration of their opinion on this subject, and object to go into Committee on a question of this kind, on which not only every Member of this House, but every reasonable and thoughtful man in the country, has long ago made up his mind one way or the other? If I am asked what I expect to get from these Resolutions, my answer is extremely short. I expect to show to Ireland that we have at last begun to look at Irish questions from an Irish point of view; that we are, at least, endeavouring to do the Irish people justice; that, if a great injustice is pointed out to us, we will have nothing to do with maintaining it because it may be accordant with real or supposed English interests or English ascendancy. I say, at all events, little enough as it may be and must be; if vested interests are, as they always ought to be, protected, it is, at least, notice to the whole population of Ireland that the days of English ascendancy are coming to an end. For when the garrison dismisses the chaplain and pensions him on full salary, it is notice that the members of the garrison are about to abandon their fortifications and come out and mingle upon equal terms with the peaceful inhabitants of the surrounding country. What may be the direct and immediate effect of the measure, he would be a very much bolder man than I pretend to be who would undertake to predict in anything like detail. I should think, in all probability, nothing very marked, decided, or striking; because I do not pretend to put this matter forward to the House as by any means a panacea. Though not yet exactly an old man, I have lived long enough and have had experience enough of life to doubt as to the merits of what is called a political panacea. Supposing the Resolutions of the right hon. Member for South Lancashire were passed to-night, and if a measure framed on them could be made law in the present Session, I should not be much disappointed if no immediately great effect were wrought in the condition of Ireland, or in the temper and feelings of the Irish people. It is the vice of political controversy that measures which become the subjects of it are exceedingly apt to have their immediate value and practical importance extravagantly exaggerated both by those who resist and by those who recommend them. And it is one of the commonest mistakes of youth and inexperience to expect to see the results of our labours—a fault which a few added years and a wider acquaintance with affairs sternly but inevitably correct. We learn in time, sorrowfully but surely, how little good can be effected by the highest genius and the greatest virtue in the lapse of even the longest life which is commonly accorded to mankind. But this ought to be no reason to us for a dull and stupid acquiescence in a state of things which is admitted to be bad; still less is it a reason for our doubting as to the ultimate triumph of truth and right, or any slackening in our own efforts to advance them. To us who believe in the Divine Original of Christianity, and who remember how mysteriously small a part of the habitable globe it has as yet affected, and how inadequate a proportion of the population of even Chirstian countries it has directly and practically converted—to us it is and can be no kind of argument at all against the truth and justice of any system, that in itself, and by itself, it fails to work any sudden miracle of change. Rather, surely, if we rightly consider it, this ought to be a motive to us for unceasing energy and untiring effort, for going on—as I believe the great German phrased it—"unhasting, unresting," in the path of what we know or believe to be equity and uprightness; keeping fresh—if we can keep them fresh—that earnestness and enthusiasm without which nothing really great was ever yet wrought upon the stage of human affairs; keeping them fresh and tempering, but not quenching them with common sense and reasonable judgment; and being content to cast the good seed into the ground in faith, and to leave to a far higher than any human power to fix the season for the ripening of the grain, and the time for reaping and gathering into barns.

Mr. BERESFORD HOPE: I am conscious, Sir, that I am rising at a disadvantage after the gorgeous eloquence of my hon. and learned Friend the Member for Exeter (Mr. Coleridge); still, I venture to occupy the House for a short time while I endeavour to recall it to some practical considerations of common sense, which seem to me to have been too much overlooked in the previous portion of this debate. Preceding speakers have approached the subject either as absolute Englishmen or absolute Irishmen. I venture to do so as belonging to a class which may, I hope, multiply every year, if the good estate of the Commonwealth is to be maintained—those whose affinities are partly English and partly Irish, and who can therefore deal with the question as themselves sympathize with either portion of the realm. More especially can I claim a personal interest in both branches of the United Church, identified as I am with one of the chief seats of education for the English Church, and also as representative of an illustrious Relative in a foundation created for the benefit of the Church of Ireland by his thoughtful munificence. In the name, then, of our common country and of our common Christianity, let me ask, what is the use of ripping up those miserable old sores connected with the times of Lord Deputy Sussex, and Waterhouse, and Oliver Cromwell? What have they to do with the Ireland of the present day—with Ireland of the steamboat—Ireland of the railroad—Ireland of the Incumbered Estates Court? Why call us back to a cautionary and separatist policy, just at the moment when the experiment of the *substantia amor* of two portions of the kingdom can really be tried under mutual conditions which never before existed? The legislation of Parliament, of the Parliament in which Ireland no less than England is represented, tends, and ought to tend, to the unification and consolidation of the Empire. It ought to be based on what Grattan would call the "con-corporation" of Ireland with England. But whenever an Irish grievance rises up, Irish patriots talk as if Ireland were a separate country, with interests diverse from those of the remaining realm. I ask those Gentlemen, what would Ireland gain by being separated from the United Kingdom and becoming—for that is the real drift of their agitation—a separate commonwealth, whether as kingdom or republic? How would she stand with a limit set by the sea on all sides, with little scope for manufactures from the absence of coal, and with so large a portion of her small area occupied by mountains and bogs? As far as her own means of advancement carry her, would Ireland have been more than a third-rate Power of Europe—something no better than, if so good as, Denmark, or Portugal, or Greece? Instead of that she has been consolidated with Great Britain, and she has taken her ample part in all the internal and political advantages of the Empire. No man who looks over the list of our Colonial officials can fail to have been struck with the prevalence of Irish names upon the roll. We find there Irish Governors, Irish Judges, and Irish Ministers. To come home to England itself: out of our twelve puisne Judges, one-fourth at this moment are Irishmen. A few months ago Irishmen formed one third of the members, and the one whom we have lost was a member of that Church whose grievances are being brought so prominently forward on this occasion. The Lord Chancellor at this instant is himself an Irishman. We find Irishmen conspicuous among the merchant princes of Liverpool and Manchester. In return for this enormous balance of advantages which Ireland reaps by being one with England, we have only asked it to concede one further mark of identity—the unification of the Established Church. The fact being that the Monarchy is one, the Peerage one, and the Parliament one, so the Established Church should be one. But it is said that this would be an intolerable grievance. I ask, whose grievance would it be? It must be the grievance either of the educated man, or of the peasant, or of the Roman Catholic priest. I have disposed of the educated man. As to the peasant—supposing for him to be aggrieved—where would the aggravation be? It must be found in something which pretty continually forces itself upon his perception. Well, then, it can hardly arise from the presence each Session in the House of Lords of a Archbishop and of three Bishops of whose names he has probably never heard, and of whose existence he is not likely to be reminded once in ten years. No one would be absurd enough to contend this, although the Peerage of the Irish Episcopate is a main element of the Establishment. His grievance, if any, will be found in what he sees—the superior standing and comfort of the Protestant clergy with their houses and glebes, and churches over that of their priests—or of the Presbyterian Ministers. But this is just the point which the proposal before the House will not touch; for my right hon. Friend the Member for South Lancashire—and herein alone do I agree with him—purposes to reserve those churches and glebes for their present occupants. There remains the grievance of the Roman Catholic clergy—and that I desire to treat with all respect. I can understand their feeling aggrieved because they do not occupy the position of social comfort and independence to which, as the clergy of so large a portion of the Irish community, they have an equitable right to expect. I admit their grievance so far. It is to be regretted that they cannot enter into possession of parsonages and glebes. But what has that to do with the disestablishment of the Irish Church? Supposing that they were claimants for its endowments I should understand the argument; but they do not demand to be raised to the position now occupied by the clergy of the Established Church; they prefer no claims for its revenues—they merely demand that the Church should be disestablished, and then that all the tithe and other revenues should be appropriated by the Government, returned to the landlords, or otherwise disposed of not to their own benefit. How can the House, so long as the Roman Catholic clergy are in this mind, take cognizance of their opposition to the existence of the Establishment as a serious argument for its downfall, when, by their own confession, their feelings are only those of disgust at seeing other people in a better position than themselves, without a purpose of bettering their own condition by the injury of their neighbours? Still, it may be argued that, in reality, they would not be coy about accepting the glebes and residences when the offer comes to be actually made, and the corollary is that these can only be provided out of the resources of the Establishment. Against this dictum I emphatically protest. It is absurd and unworthy to contend that a great country like ours is unable to do one act of justice towards a handful of clergy — some hundreds, and these celibates, and therefore easier to deal with, for their requirements must be smaller—without plundering somebody else in the process. Why, in the fervour of the first Reformed Parliament, we were able to find £20,000,000 to compensate the slave-owners in the West Indies, and yet we now haggle over the smaller sum which will be necessary to place the Roman Catholic clergy of Ireland in that position of comparative ease and comfort to which they are certainly entitled at our hands. But it is urged that there is no necessity for seeking the money elsewhere, since it can be so easily obtained by despoiling the Irish Church. But besides the patent injustice of this proposal, there is a fatal practical objection to it. If we succeed in contenting the Roman Catholic clergy by this plan, we do it at a cost which will far outweigh its political advantages; for we shall equally succeed in discontenting the Protestant minority in Ireland, while we shall excite and terrify the whole Protestant population of England. We shall do all this mischief owing to the manner in which we provide a small scintilla of endowment which might, with the greatest ease, be procured from other sources. It is said, however, that the disendowment will content the larger part of the Irish people, and make them evermore loyal, and this assertion stands for all argument. But is this the fact? Has it not been made apparent that those who are most clamorous for the disestablishment of the Irish Church are also those who are most clamorous for the repeal of the Union, and who regard the one change as the stepping-stone to the other—and both, it may be, as contributions to the dismemberment of the Empire. So the concession which we are asked to make, will be a concession made to that very class of the Irish population who wilfully shut their eyes to the advantages of the incorporation of the two countries, who prefer municipal to Imperial considerations, and who rather chose to regard themselves as members of a conquered race, than of a triumphant and united Empire. If by such means we contributed to the contentment of any, it would be to that of the very class whose contentment is most dangerous to the common weal, because it means separation from England. But the advocates of disestablishment have recourse to abstract arguments, and plead that no comparison can be instituted between the Church of England and the Church of Ireland, because, while the former is the Church of the majority, the latter is the Church of the minority. But, if the Churches united, considerations of comparative numbers become local questions, and should be treated as municipal matters with a view to the varying circumstances of each district. The Church of Munster is not the Church of Leinster, nor is that again the Church of Ulster, as none of them is the Church of Middlesex or Surrey. Let the Church of Munster, then, be considered with a view to the spiritual benefit of Munster, and the Church of Ulster with one to that of Ulster. The proportion of Churchmen to Nonconformists varies in every part of England and Ireland; but the Irish Church is a part of the United Empire, and if we permit it to be disestablished, what guarantee have we for the safety of the Establishment in those parts of England where the Church happens to be unpopular or out-numbered? The hon. and learned Member for Sheffield, in his pleasant way, pointed to the analogy between Ireland and Wales as both conquered countries. But, as in Ireland, so in Wales, the Anglican communion is not in the majority. It may be said that the unpopularity of the Irish Church had arisen from its having been of yore too aristocratic, and having too exclusively drawn its supply of ministers from the upper classes; while the weakness of the Welsh Church proceeded from a totally different cause—namely, the peasant extraction, the insufficient education, and the too homely ways of the clergy, which had prevented their acquiring the influence which a higher rank of men would have done as the recognized leaders of public religious opinion. But from different causes like events have accrued. The over-aristocratic Irish and the over-peasant Church of Wales had both been distanced during former generations, and now that both have awakened to a better future, each is threatened with vexatious punishment for the shortcomings of past days. The general praise accorded to the actual energy of the clergy of the Irish Established Church shows, I repeat, that, if they suffer, it will be for the faults of their predecessors. What safeguard, then, was to be found, that at no distant time the Welsh Church will not be called to a similar account. The day the Irish Establishment has gone, the Welsh Church will be trembling in the balance; and after the disappearance of the Establishment from Wales, how long does the House think that the English Church will be able to withstand the assaults of her enemies? Eager eyes are already scanning the comparative statistics of Churchmanship and Dissent in such counties as Cornwall and Lancashire. I utter this warning more as a son of the Church than as a member of the Establishment. I should belong to the Church of England even if she ceased to be established, as I should belong to the Episcopal Church of Scotland, in communion with the Church of England, if I were a resident in that country. I am attached to the Church of England apart from all question of Establishment, because of her apostolic orders and her reverence for the antique traditions of pure and primitive Christianity. I shall belong to her because I venerate and love her beautiful form of service by which she pleads her kinship to the Universal Church. But, because my attachment to the Church of England is independent of her being established, I am the more convinced that, as she possesses that great advantage, all who love should be ready to make every sacrifice in order to maintain it. There is no doubt that the whole question of Establishments will soon be ripped open. My right hon. Friend the Member for Calne (Mr. Lowe) has contended that the defenders of the Irish Church were arguing in a circle, and had brought forward no argument which ought to convince a Roman Catholic. I now venture to produce one which has not been used before, and which I think ought to carry conviction to Roman Catholics. I appeal to their own regard for their safety; and I desire to remind them that they may be pulling about their ears more than they expect when they assail the Church of England. Christendom has, unhappily, shaped itself into many organizations—some of them more or less aristocratic or despotic, and others of a more or less democratic complexion. The Roman Catholic Church represents most completely the aristocratic or despotic form of Church organization; while the Presbyterians, and, to a still greater degree, other Dissenting Protestant bodies, are democratic. The Church of England, however, while partaking of both characters, pursues a middle path, happily removed from either extreme. A very distinguished, and certainly devoted, Roman Catholic writer on ecclesiastical matters—De Maistre—in the early part of this century dwelt upon this characteristic in a striking passage, which was once quoted by my right hon. Friend the Member for South Lancashire, in one of his pamphlets on Church questions. His assertion was in effect that the Church of England was, so to speak, the general pacificator—the middle term among the different Christianities of the world; and that if ever Christendom was happily to be restored to unity, it must be by the agency of the English Church. Weaken, then, that communion—disestablish the Church of Ireland—what do you leave? There would be several hundred thousand discontented persons let loose from that bond of cohesion which their connection with the State has created. Do you suppose that all these people would again voluntarily coalesce in a moderate episcopal communion upon the well-balanced traditionary platform of the Church of England? At all times the pre-fervid Celtic intellect is too apt to run into extremes, particularly when face to face with such a grievance as these Protestants would undoubtedly possess. Is there, then, no risk that many of them will, from antagonism to Rome, rush into some development of strong democratic Christianity, whlie a fresh and furious "No Popery" cry from a mass of unchained partizans may teach the Roman Catholics that they had done an unwise thing in urging on the demolition of the Irish Establishment for the sake of a fleeting political advantage? When the insensate animosity against those dioceses of the Established Church which happen to stand on the other side of the Channel has accomplished its purpose, the Roman Catholics of England, as well as of Ireland, will be grievous sufferers; for they will have broken the breakwater which stands between them and the excesses of popular prejudices. I warn them in time that they will to their cost substitute the rampant "No Popery" cry for the dignified mobilation of the Anglican Church. For these reasons I intend to vote against the Motion for going into Committee in any form; for I have no wish whatever to discuss the Resolutions of the right hon. Member for South Lancashire. If the House shall go into Committee and consider those Resolutions, I will say "No" to them. If by any chance the ambiguous and unsatisfactory Amendment of the noble Lord should become the Main Question, nothing whatever will induce me to vote for it.

MR. STANSFELD thought the issue between Her Majesty's Government and themselves had by this time become sufficiently clear. It was true the right hon. Baronet, the Secretary of State for India, and some of his Colleagues, alluded to the Resolutions of his right hon. Friend as vague and unsatisfactory; and if he remembered rightly, the right hon. Baronet went so far as to say that those Resolutions proposed the minimum of that which would be sufficient if they were successful to oust the Government, and intimated *ex cathedrâ* that to oust the Government from office was the first and great object of those Resolutions. Now, he (Mr. Stansfeld) did not understand how the right hon. Baronet could put himself forward as able impartially to decide that the main object of those Resolutions was to oust the Government from office; and, in his (Mr. Stansfeld's) opinion, if these Resolutions, and the action of his right hon. Friend in propounding them to the House had one characteristic more than another, it was that they were specific, straightforward, and definite, and, as far as time and the practical competence of this Parliament admitted, they were Resolutions of a practical character. The Resolutions, in the first instance, laid down the principle that, for great reasons of policy, it was necessary to disestablish the Irish Church. Members of the Government had chosen to confound disestablishment and disendowment; but the House perfectly understood that it was with the political question of disestablishment that they had in the first instance to deal; and that, as his hon. Friend the Member for Nottingham (Mr. Bernal Osborne) had said, the question of the application of the funds which might be at the disposal of the State if the Resolutions were adopted, was secondary and subordinate. The purport of the Amendment, too, had become clear, if it was not so originally. The Amendment rejected the notion of action; and so far it formed the one little bit of common slippery ground upon which the Foreign Secretary and the Home Secretary had been struggling for foothold before the House. But it did more —it not only rejected action—it refused discussion. It was an Amendment which, if adopted, would have the effect of preventing the Resolutions of his right hon. Friend being read at that table, nor would any Member of the House have been able to record his vote in respect to any one of these Resolutions. And yet, though it was not, apparently, for this moribund Parliament to have an Irish policy, or to express an opinion on the Irish Church Establishment. Her Majesty's Government had an Irish policy, and that Irish policy they had propounded before these Resolutions were tabled by his right hon. Friend. And in spite of the appearance of suspended animation in the speech of the noble Lord the Secretary of State for Foreign Affairs, he thought he might say that the Irish policy of Her Majesty's Government had been revived. Now, what was that policy? As far as he could judge, from the statements made by different Members of the Government, it might be described in these few words, "Catholic endowment as the purchase money of Protestant ascendancy." If that description was not correct, he knew not what meaning to attach to the words, "levelling up." Besides this, there was nothing but some poor manipulation, for the benefit of the Protestant State Church in Ireland, of the funds and revenues of that Church. The announcement of that policy was followed by the now notorious Dartmouth letter—a cry on the part of the First Minister of the Crown appealing to all the old bigotries and buried sectarian frenzies of the country to support the Government in perpetuating, if they should be able, the injustice of the Protestant State Established Church in Ireland. When hon. Gentlemen voted tonight they would vote upon a distinct issue. Those who voted for the Resolutions would do so because they were convinced that, whatever uses might afterwards be found for her revenues, the disestablishment of the Irish Church was a great measure of political justice and of urgent necessity; and because they were determined—and he trusted no others would record their votes in favour of the Resolutions—that, as far as their influence went, this Parliament should not pass away until they had recorded the expression of that conviction as well as a pledge of their sincerity in entertaining it. In order to justify the right hon. Gentleman for bringing forward these Resolutions it was necessary to satisfy themselves in the first place of the justice and the wisdom, and he might even go further and say the urgent and immediate necessity of the proposals he had brought forward; and in the second place, it was necessary to justify the method and occasion of the presentation of those proposals to the House. The first of those questions was not only the prior but the larger question. The policy of disestablishment was a policy of justice. As had been said by his hon. and learned Friend the Member for Exeter (Mr. Coleridge) the Protestant State Church in Ireland was an institution indefensible in argument. It fulfilled none of the essentials of a State Church. He could, he hoped, understand and appreciate the feelings and sympathies of the hon. Member for the University of Cambridge (Mr. Beresford Hope), when he spoke of his attachment to the principle of a State Church, to which the noble Lord the Member for Stamford (Viscount Cranborne) had the other night so feelingly expressed his devotion. He (Mr Stansfeld) thought, however, that he could say something which might more or less relieve the minds of the noble Lord and of the hon. Gentleman the Member for the University of Cambridge. It seemed to him that so far from their principle of an Established Church being at stake in the case of the Establishment in Ireland all their arguments were so many condemnations of that Establishment. Statistics in detail were impertinent upon such a question, and inquiries as to the appropriation of the revenues were utterly irrelevant in presence of the fact that the Church in Ireland was the Church of a wealthy minority of about one-ninth of the population. In virtue of that broad fact the Irish Establishment was doomed. If there were a theory upon which, in these days, they could justify an Established Church, what could it be but this, that in some sufficient sense the Church summed up the collective faith, and ministered to the religious needs of a community. Tried by that test the Established Church in Ireland stood condemned. There could no longer be a perpetuation of churches without congregations, and cures without souls. It was said that if the Church of Ireland were disestablished the Church of England would be in danger; but in reference to the English Church there were two things which he might be allowed to say. In his opinion the immediate future of the Church of England would depend upon what took place within, and not upon what took place without her pale; save that if those who resisted the disestablishment of the Irish Church should succeed in raking up the old embers of sectarian and of race enmity, in making of this a prolonged, a painful, and a severe struggle, then he thought it was possible that they might achieve that which they had before this achieved; that they might conduct their defence in such a manner, and for such a time, as to bring down ultimately ruin upon the principle and the institutions which they most valued, as well as upon themselves. Disestablishment was not only a policy of justice, but of absolute and of urgent necessity, because it became a part of the large and dominant, and, to the Irish, all-embracing question—the condition of Ireland. The Secretary of State for the Home Department had asked the other night, completing the quotation of the right hon. Member for South Lancashire, if they could "minister to a mind diseased;" and there was some truth in the statement that Ireland was in a morbid condition. But what was the malady of Ireland; for, whatever it was, they must remember that they were bound over in the heaviest recognizances to find a cure for it. It was impossible to allow Ireland to be what she had been called—the Poland of the West; and there were only two courses, absolutely diverse and divergent, upon which they could proceed in dealing with the malady of Ireland. The one was that of entire suppression; while the other was diligent, impartial, and untiring search after what should be a complete remedy for the condition of the Irish people. It was said that the Irish were an unsatisfied nationality. He ought to know something upon the subject of unsatisfied nationalities, and he believed it was quite possible from present appearances, and, in spite of existing dissatisfaction, to bring the promise of future peace and union. It was a mistake to suppose that when symptoms of the spirit of nationality arose they must either succeed in suppressing them, or else must give them full sway, and allow them to lead to absolute separation and independence. What was nationality but individuality? We might respect the individuality without having to sever ourselves from the nation. We had done so in the case of Wales and Scotland. We lived in harmony with the Welsh and Scotch, because we had not imposed our Church on Wales or Scotland. And if we followed the same plan with regard to Ireland, we might expect a similar result to follow in the course of time. In the eloquent speech of the Home Secretary the other night, he had said—

> "If I could do anything to bring back love and concord, Heaven knows how many sacrifices I should be ready to make to attain so desirable an object. If justice required that I should give up my dearest prepossessions, and I saw any certainty of arriving at success, I would stand aside."

Well, the right hon. Gentleman must know that the Irish nation had asked this measure of justice at their hands, and he hoped, therefore, that the right hon. Gentleman and his Colleagues would consider whether the time had not come when the concession should be made — when they should remove their restraining hand, and allow the people of Ireland to do that which they would do for themselves if they had the power—namely, get rid of an Establishment which, if Ireland were a separate nation, there was no sane man who could defend. It was urged that, if they removed the Establishment, they would run the risk of losing the attachment of that small minority of the people who supported them. If there was that risk, it must be encountered; for they must remember that, as the right hon. Member for Calne (Mr. Lowe) had said on the previous evening, the disestablishment of the Irish Church was a *conditio sine quâ non* to the loyalty and satisfaction of the great bulk of the Irish people. He could understand that the small minority who had enjoyed privileges at the expense of their fellow-countrymen might be reluctant that the latter should be put on a footing of equality with themselves, and that religious ascendancy should cease; but the Imperial Parliament ought not to be actuated by a consideration of that feeling, if it existed. He believed that, when the temporary irritation involved in the disestablishment of the Irish Church had passed away, we should have the whole population of Ireland reconciled to our rule, and the two countries would be made one, in fact and deed, as well as in name. Of the motives attributed to his right hon. Friend the Member for South Lancashire (Mr. Gladstone) he would say nothing in his presence; but would apply himself to the objection which had been made as to the time of bringing forward this Motion. The Motion was brought forward now because the times were ripe for it. Events in America and Ireland had pressed the subject upon their minds —showing them their danger, pointing out their duty, and giving them an additional motive for endeavouring to fulfil it. Recent events in this country had also done much to forward the question. Within the last few years, the minds of most men on political questions had advanced half a generation; and the present Prime Minister was the first to reveal to them the hollowness of Conservative resistance, and thereby to stimulate the hopes and courage and consciousness of power of "truly Liberal" politicians. But more than that— a consequence not contemplated as within the range of probability by the right hon. Gentleman — he had raised and stimulated the conscience of the country, which, when appealed to, would not respond to the old Shibboleths of party, or sectarian, or race antagonism, but would be true to the simple ideas of justice and of the equality and brotherhood of the Irish people. Another reason for their bringing the subject forward was, that they had been challenged to do so by the Government; for they were told before these Resolutions were laid on the table that Government had an Irish policy of their own, distinctly opposed to the principle of disestablishment, and he did not see why they were to be precluded from challenging that policy. He had desired to see the suffrage increased to a large extent; but he should be sorry to say that the last Parliament under the Constitution of 1832 was not competent to deal with this question as far as time would permit. If the Amendment should be carried, they would pronounce their own incompetence even to leave the legacy of their convictions to the next Parliament. When his right hon. Friend read at the table the words of his Resolutions, he spoke the doom of the Protestant Establishment in Ireland, and gave the assurance of future peace, concord, and union. Every Irishman—whether dwelling in Ireland, in the homesteads of Canada, or in the Western States of America—would feel that the day of justice too long delayed had dawned at last for the country of his birth, and that a great and crying injustice and persistent evil, the last relic of centuries of oppression and misrule, was about to pass away.

THE EARL OF MAYO: The language with which the hon. Gentleman who has just sat down concluded his speech, is the same as was uttered thirty-three years ago in this House on the same subject. Then, as now, this question of the Irish Church had become a great party cry; then, as now, the parties in the State were ranged on either side, and the same words were used as now—namely, that the Irish Church is doomed. Since then the party opposite have been for a long time—during twenty-eight years — in Office, with majorities sometimes large, sometimes moderate; but, either from a disinclination to interfere with the matter, or from a feeling that the line laid down and the principle adopted in 1835 were untenable, no action has been taken in the matter. I am rather reluctant to prophecy, but I believe it will be found in future times, when this question comes to be discussed and better known than it is now, the same result will follow; and the Protestant Church in Ireland, though it may be reformed, improved, and amended, and rendered much more in harmony with the requirements of the country and the feelings of the people, will nevertheless remain in its strength and in its purity. I am glad the hon. Gentleman who has just sat down did not repeat in the same terms the charges of inconsistency which have been brought against the Government by former speakers. He seemed to admit what I think must now be patent, to all, that the policy of the Government on this question is clear and defined, and that they believe it to be consistent with their duty, with the principles they profess, and with what they think useful and good for the country, that they should oppose any proposition for the disestablishment or disendowment of the Irish Church. I heard, with some surprise, one of the ablest dialecticians in this House endeavour last night, apparently with great pains and labour, to fasten upon the Government the charge of inconsistency in this matter. He argued that our course had been uncertain and vacillating. From the various speeches delivered on the part of the Government, he tried to argue that the Government had put forth an uncertain sound. Now, I am not going to follow the right hon. Gentleman the Member for Calne (Mr. Lowe) through all the various events, speeches, and circumstances to which he referred; but I maintain that he utterly failed in proving that there was the smallest particle of inconsistency in the course adopted by the Government since the question was first mooted in public last year, when the Earl of Derby, in the other House of Parliament, resisted the addition proposed by Earl Russell to his Resolution in favour of a Commission. Since then the conduct of the Government has been invariably the same, and they have never lost an opportunity of declaring that it was their duty to maintain the Church of Ireland as an Establishment, and to resist all attempts to disendow it. As a proof that they entertained this opinion, I will adduce the fact that the noble Lord lately at the head of the Government agreed to the Commission moved for by Earl Russell, in the other House, on the distinct ground that the Commission was to inquire into the position and revenues of the Establishment, with a view to see how any anomalies and inequalities could be removed, and how the property of the Church could be made more beneficial than it is at present. With that view a Commission was appointed, which, notwithstanding all that has been said against it, is, I think, a perfectly impartial one. Nobody, I imagine, supposes that we ought to have selected to serve upon it avowed enemies of the Establishment, and gentlemen who had strongly declared their adherence to the voluntary system. That would have been directly in opposition to the principles on which the Commission was appointed. So the Commissioners selected were five Gentlemen professing Conservative opinions, and four Gentlemen professing Liberal opinions, all of whom had then a considerable interest in the question, and all of whom, I believe, are perfectly competent to deal with it. Sir, I feel convinced that the Report of that Commission, in its amplitude, in its importance, and its interest, will hardly ever have been excelled by the Report of any Royal Commission that Her Majesty has ever appointed; and, I believe, that all that has been said with regard to the sufficiency of the information now at the disposal of the House upon this subject is an entire mistake, and that you will find in the Report of this Commission an amount of information, and a number of facts which are perfectly new, and which I maintain this House ought to be in possession of, and have time to consider before they can possibly proceed even to deliberate upon this important question. The next event which took place was the speech which I made, and the words—imperfect words, I admit, but admitted to be quite sufficient for their purpose—used by me when the Motion of the hon. Gentleman the Member for Cork was before us. I then showed distinctly that, not only my own opinion, but the opinion of the Government, was in favour of maintaining the Irish Church, and that it was part of our policy and principles to resist any Motion for disendowment. I strictly guarded myself against opposing reforms or alterations which might tend to the improvement of the Establishment, or to a more useful application of its revenues; but I distinctly stated, with the assent, I believe, of every one of my Colleagues, that we should resist any attempt to interfere with the fundamental principle of the Establishment. It seemed to me that the allegations of the right hon. Gentleman the Member for Calne (Mr. Lowe) were entirely contradicted by his own words. He said, "Your conduct was vacillating;" yet, he adds, that my words seemed to challenge the step now taken by the party opposite. Now, what I said was not meant as a challenge; but, if it was to be taken as a challenge, and as an expression of opinion, which it was the duty of the party opposite immediately to controvert, and obtain the judgment of the House upon, surely, it cannot be described as in any respect vacillating or uncertain. Well, a Notice of Motion was given by the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone). It was met by an Amendment which, as I think, was perfectly clear and intelligible. That Amendment embodies a statement which, I think, nobody will be able to controvert, which, I believe, events will prove to be true—namely, that it is not only improper but impossible that the present Parliament can deal with the question. Surely, no one can say that such an Amendment is proof of vacillation. Well, then, I come to the speech of my right hon. Friend the Secretary of State for the Home Department, which, if anybody could have had the smallest doubt on the subject, was quite sufficient to convince any candid mind what the opinions of the Government are upon this question. I am sorry that the right hon. Gentleman the Member for Calne (Mr. Lowe) is not in his place, because, when he makes these charges of inconsistency, I cannot but recollect that, while he has been loudest in his protestations against everything in the shape of Parliamentary Reform, he yet sat in two successive Governments which were pledged to the principle of Reform—nay, more, which were always bringing in unsuccessful Reform Bills; and, I cannot but recollect, too, that while he has always declared himself a strong enemy of the Irish Church, he still was, for many years, a Member of Governments, one of whose cardinal points of policy, as regards Ireland, was invariable resistance to the overthrow of the Irish Church. I say, then, that it comes with an extremely bad grace from the right hon. Gentleman, when he tries to fasten upon the Government an inconsistency which does not exist; while, looking back upon his career, we see in it an amount of inconsistency which can hardly be attributed to any other public man. There is only one other point to which the right hon. Gentleman referred the other night, and I will notice it in a few words. He stated that there was a gross inconsistency in the conduct of the Government; because, while resisting the attempt to overthrow the Irish Church, we propose to grant a charter to a Roman Catholic University. The right hon. Gentleman gave a description of that charter wholly contrary to the facts. He said that the Government proposed to place at the disposal of the Roman Catholic Bishops the whole education of the Roman Catholic laity in Ireland. Now, I contend that my proposition bears no resemblance whatever to the description thus given of it by the right hon. Gentleman. It is very easy to describe a thing as it is not; to state a thing as it was never intended to be, and then proceed to demolish it. That is precisely what the right hon. Gentleman did. The proposal made by the Government was one to establish a University in which the lay element would not be only strong but preponderant; in which the only ecclesiastical element was to be four prelates; and I must say that I think the right hon. Gentleman paid a very bad compliment to the independence and intelligence of the Roman Catholic laity of Ireland if he thought that, because four Roman Catholic Bishops were placed upon a certain body, therefore the whole education of the Catholic laity was to be placed in the hands of the Catholic prelates. I repeat, therefore, that the description of the institution which we proposed to found, as given by the right hon. Gentleman, was an entire misrepresentation, and that nothing of the kind was intended under this charter. A great deal has been said to-night as to the power of Parliament to deal with the present question; and in the eloquent speech of the hon. and learned Member for Exeter (Mr. Coleridge) I think a great deal of time was—I will not say wasted, because no time can be wasted in listening to anything which falls from him—but at all events, I think he expended a great deal of unnecessary force in proving that Parliament had the power of dealing with the Irish Church. Now that power, as I understand, has never been denied; but we do say that the proposal now made is one greater, perhaps, than any that has ever been submitted to Parliament. When we remember that it is now proposed for the first time to leave a considerable portion of the United Kingdom without an Established Church; that it is proposed, in addition, to confiscate property and revenues which for 300 years, at the very least, have been in the possession of this body; when we remember that these revenues have been guaranteed to the Irish Church in a manner more solemn, I believe, than that in which property has ever been guaranteed to any other body corporate or any other private individual in this country; when we see that this Establishment has been guaranteed by the Oath of the Sovereign, by Acts of Parliament spread over the whole course of the statute-book, by contracts made, and repeatedly made, with leaders of great political parties on great political emergencies; remembering all this we say that a proposal to confiscate property and disestablish an institution guaranteed and sanctioned by all these securities is, perhaps, the most momentous step ever taken by the English Parliament. Without denying the right of Parliament to deal with the question, we say that it is a duty which, though not beyond its powers, will tax those powers to the very utmost. One word now as to the mode in which this proposal is to be carried out. The right hon. Gentleman certainly claims for a Committee of this House greater power, and wishes to impose on it larger duties, than ever before were entrusted to it. His first Resolution, as I have said, embodies a proposal which, in its fundamental principles, subverts the Constitution of the country. Now, if the Constitution of the country is to be subverted, perhaps a preliminary Resolution is as good a mode of effecting that object as any other. As to the second Resolution, however, though I am no lawyer, and do not feel competent to discuss it, I should be very glad to hear some Gentleman of the long robe get up and tell us how a Resolution of a Committee of this House can control and prevent the exercise of the Prerogative of the Crown. As to the third Resolution, it is the first time that the Chairman of Committees has ever been invited to put a Motion for an Address to the Crown from the table; and I think if the Resolutions were carried it would puzzle you, Sir, to know how to deal with it. These, however, are points of comparatively slight importance. But the right hon. Gentleman, besides the disestablishment of the Church, proposes at once to establish the voluntary principle in Ireland. Now, I maintain that the voluntary system does not exist in Ireland in any shape or form, and that the three Churches there—the Established, the Roman Catholic, and the Presbyterian—are to a great extent in receipt of endowments from the State. The Established Church is fully endowed. If the Government had not thought some alteration in respect of her endowments necessary, they would not have consented to an inquiry. The Presbyterian Church is also endowed to a considerable extent by monies voted by this House, and the Consolidated Fund bore a large portion, if not the whole, of the cost of the education of those who are destined for the priesthood in the Roman Catholic Church of Ireland. Now, I believe it was very much at the desire of the members both of the Presbyterian and Roman Catholic Churches that money was granted out of the Consolidated Fund and voted in this House for the purposes of both these Churches, and therefore it does not lie in the mouths of hon. Gentlemen, who desire now to advocate the voluntary system as the rule for Ireland, to try to weaken the principle of endowments. But I will go further, and say that the voluntary system, as applied to religious purposes, is most unsuited to the state of things in Ireland. I am sure no hon. Gentleman will attempt to contradict me when I say that, of all Christian people on the face of the globe, the people of Ireland are the most religious, and that there are none among whom religious feeling and religious observances enter more deeply into the habits of their daily life. There is no coldness or want of zeal among them. It is always stated by the advocates of the voluntary system that there is nothing which so much promotes religious zeal, but the voluntary system is not likely to be wanted in Ireland on that account. On the contrary, I believe that any system which would have the effect of bringing before the minds of the Irish people peculiarities of doctrinal teaching and controversy would not have a good effect upon the peace of the country; and if you establish the voluntary system in Ireland, so far from promoting the interests of true religion you will do nothing but increase religious rancour and strife, and make doctrinal differences a greater subject of controversy than they have been hitherto. Sir, we want nothing in Ireland which will increase the violence of controversy. What we want is a system, both in religion and Government, that will soften those asperities and heal those animosities which have so long prevailed. I believe that there is nothing which would so much tend to intensify all the prejudices which exist and increase all the animosities which we deplore as the establishment of a complete voluntary system. The hon. Member for Halifax (Mr. Stansfeld) the other night quoted a very high authority on this subject, and I would advise hon. Gentlemen who doubt the truth of my remarks to turn to one of the ablest books which has been written on the Irish Church—namely, the work of Sir George Lewis—and he will find there the same opinion put forward in language far more powerful and eloquent than I could command. I do not remember his exact words, but they come to this—that the tendency of the voluntary system is to reflect on the clergy the prejudices and antipathies of the most violent of their congregation; that in every country where it has been tried it has had this effect, that it has produced in the Protestant fanaticism, in the Catholic superstition, and intolerance in both. And the same opinions have been most ably advanced by Dean Stanley in a work published not long ago. I would remind the House that this voluntary principle, which it is contemplated to extend to Ireland, is sanctioned by no experience or authority whatsoever. It does not exist at this moment to any extent in any country in Europe. It is quite true that it does exist to some extent in America, and that, no doubt, will be quoted as a precedent against me. But I would remind the House that the voluntary system there was coincident and coexistent with republican institutions; it grew up with them, and became part and parcel of them. But because it has succeeded in America, that is no reason why it is likely to succeed here. I would ask Roman Catholic Gentlemen whether the voluntary system, as far as regards the payment of their parochial clergy, has been altogether satisfactory or successful? I should be sorry to give any opinion of my own on this point; but I have often spoken to Roman Catholic gentlemen of high authority, and they have constantly admitted that the voluntary system in one respect has not worked well. The fact is that the parochial clergy in Ireland are entirely drawn from one particular class of people. Now, I should be very sorry to say that a clergy taken from the lower ranks of the people are not as useful, as devoted, and as pious as those drawn from a higher rank; but this I do say, I should think it a very great misfortune if the clergy of my own Church were to come from one class, and one class alone, and if there were not to be found in its ranks representatives of all classes. In Ireland the clergy are recruited principally from the sons of small farmers, small merchants, and traders in towns; and if the son of a Roman Catholic gentleman takes orders he is almost always to be found in the ranks of the regular clergy. Now, that which is admitted to be an evil by almost all Roman Catholics is, I believe, to be attributed to the voluntary system; and if you had a system of endowments you would find men sprung from a higher class in the ranks of the parochial and secular clergy. But when Roman Catholic Gentlemen and those who profess to speak for them stand up in this House and profess themselves, in eloquent and almost violent terms, strong advocates of the voluntary principle, I confess I listen to them with astonishment, because I cannot conceive how anyone who has made himself acquainted with the history of the Roman Catholic Church can imagine for a moment that the voluntary principle forms any part of the fundamental system upon which that Church has been established. Sir, I would remind the House that the Roman Catholic Church is a Church of costly rite and gorgeous ceremonial; a Church whose votaries and disciples have thought it their duty to give to their religious worship everything that wealth could bestow or art devise. A Church of gorgeous and stately ceremonial can never be a purely voluntary Church, and I believe that the Roman Catholic Church in Ireland is in a totally exceptional position. I believe that the Roman Catholic Church has been a Church especially of endowments. What has been the course of this Church in Ireland with regard to this particular question of endowments? Everybody knows that, at this moment, that Church is acquiring property with a rapidity I believe unexampled in her history, and perhaps in the history of the world. We Protestants cannot but admire the piety and devotion which, in many instances, have thus been shown, but I would warn Roman Catholic Gentlemen and those who profess to speak the sentiments of their Church, that they are running some danger in advocating principles of disestablishment and confiscation as they do now. I look forward to the day when the Irish Roman Catholic Church, if she goes on amassing property for the next 100 as she has done in the last fifty years, will be endowed and gifted with great wealth; and if that takes place is it not probable that those great riches and endowments may at some not distant time attract the jealousy of a large and powerful party in this country, whose assistance you are now asking for the disendowment of the Irish Protestant Church, and who have always been the first to advocate and uphold the confiscation of Church property? I cannot conceive anything more probable than that, at a time not very remote, not only the possessions of the English Church may prove very attractive grounds for putting in practice the principles of that party, but that they will also be applied to the possessions of the Roman Catholic Church in Ireland. We shall then hear precisely the same arguments—that these endowments are dangerous to the State; that they are in the hands of men who do not use them for the good of the people; and, therefore, that Parliament has a right to step in and do what is called an act of justice in order to make a better disposition of their funds. Sir, I am not ashamed in this House to advocate the principle of religious endowments. In that respect I follow in the footsteps of Mr. Pitt, Lord Plunket, Mr. Grattan, Earl Grey, Sir Robert Peel, and Earl Russell. Every one of these advocated the principle of religious endowments in Ireland, as specially required by the circumstances of that country. Every one of them constantly opposed the extension of the voluntary system to Ireland. That was admitted in the Appropriation Clause and in every great scheme ever brought under the attention of this House. Having thus stated my opinion as to the utter unsuitableness of the voluntary system to Ireland, I would ask your attention to the proposal which the right hon. Gentleman has made. I admit that the right hon. Gentleman in his speech stated he did not think himself bound to submit to Parliament any detailed plan by which his proposals should be carried out; but he did to a certain extent shadow forth what, in his opinion, that plan should be. There was one particular, however — an essential one—on which he gave us no information. He did not state what would be the proximate amount of the surplus on which he calculated. Now, it always struck me that in proposing and agitating this great scheme of confiscation those who advocated it are bound in the first instance to show the disposition they intend to make of the enormous property it involves. This has been valued at a sum ranging from £10,000,000 to £14,000,000; and they are bound to make a disposition of it more useful and likely to do more good than the present arrangement. The right hon. Gentleman has not vouchsafed to us his opinion on that subject; but we have had various opinions put forward. According to some this surplus should go to education in Ireland. Now, if there is one thing more likely than another to raise bitter and violent contention in that country it would be the throwing down a large sum of money to be scrambled for under the head of education. The battle that would take place for this surplus to be devoted to education would in intensity and acerbity be fifty times greater than now exists in regard to the Church. There is no subject on which there is a greater difference of opinion, or on which that difference has been expressed with more acrimony, than that of public education. Then it has been suggested that the money should be devoted to the police of the country; but I apprehend that such a proposal would hardly be seriously entertained. The next proposal is to give it in aid of the poor rates, and that would relieve local taxation to a certain extent. Another proposal put forward by some of the clergy of the Roman Catholic Church is that these funds should be capitalized and given to clergy of various denominations to be disposed of in what they call alms. I cannot conceive any proposal that would be more fatal to everything we desire to esteem or preserve in Ireland than such a proposal. Then another proposal was made, I think, by the hon. Member for Finsbury (Mr. M'Cullagh Torrens) that this large sum should be disposed of in the improvement of land; and this seemed to meet the approval of the hon. Member for Westminster (Mr. Stuart Mill)—that a large sum should be laid out in the purchase of estates, to be afterwards cut up into farms — that they should be improved, and the loss should be borne by funds to be derived from the revenues of the Established Church. The Government was to enter into a large speculative scheme connected with the land, and it was admitted at the outset that it would prove very unproductive. These were the various schemes which have been broached; and I believe that every one of them would create more heart-burning and ill-will than the existence of the Established Church is alleged to have produced. The scheme of the right hon. Gentleman opposite (Mr. Gladstone), though rather hazily shadowed forth, was still sufficiently precise to enable us to understand its meaning, and it really is nothing more nor less than a great scheme of confiscation. The effect of the plan would be to leave two-thirds or three-fifths of the property to the Irish Church. That would not be less than £8,000,000. By whom was this great sum to be disposed of? Under whose care was it to be placed? Was it to be allocated to the parishes or put into the hands of commissioners? Or was it to be distributed among the clergy of the Church? If the right hon. Gentleman leaves £8,000,000 in the hands of the clergy, what becomes of his principle of equality? There is another question on which great anxiety must be felt by those who wish to know how this scheme of confiscation is to be carried out. If instantaneous in its operation, the compensation to living interests must swallow up the great portion of the revenues. If you are to allow existing interests to die out and to effect changes on the death of those who now hold office, by then sequestering the property of the Church, you will get into almost greater difficulty. You profess to begin the voluntary principle in Ireland, and allow the members of the Protestant Church to make such arrangements as they may see fit for the celebration of worship; but, at the same time, you allow revenues to go to incumbents during their life-time, and so you render impossible any voluntary arrangement, because that necessitates a large consolidation of parishes. It would be perfectly impossible, according to the proposal made by the right hon. Gentleman, that this voluntary arrangement could be carried out; for it would be impossible in the many districts where the number of Protestants is small, to secure clergymen of the character and education they desire. Therefore, it appears to me that, in this respect, the right hon. Gentleman's plan is not only cruel, but most ill-advised, and would prevent the coming on of that voluntary system of which he is the advocate. The right hon. Gentleman's scheme also contemplates a large system of compensation; and experience has taught the House to look with suspicion upon these great systems of compensation. I quite admit that if this scheme is carried you must propose compensation, otherwise you would do the grossest injustice. Let me remind the House what this compensation will amount to. There are about 450 curates, most of them young men, who ought to be compensated for the loss of their future prospects. The lay advowsons are nearly one-sixth of the whole number of livings in the Church, and include some of the richest; and these would swell the compensation to an enormous sum. On what principle the right hon. Gentleman can reconcile compensating the lay proprietors of livings with forgetting the interests of the Church at large, I cannot understand. If the Church of Ireland is to be got rid of, on every principle of justice you are bound to get rid of it at once. If you do not make the members of the Church at once enter into voluntary arrangements, you will commit the greatest possible injustice. As a member of that Church, I say, if you are determined to destroy it, it would be much better to execute it at once than to put it to death by a lingering process. I have never used the "garrison" argument, and have never treated the Church as a garrison in the midst of the people. On the contrary, I believe that it is a position it has never assumed; it is one it never ought to assume; but the overthrow of the Church will in many districts eradicate everything in the shape of Protestantism. No doubt that result would recommend itself to many hon. Members, and to many people in Ireland; but who are the Protestant population? They are few, but they belong to a peculiar class—one or two squires and a few large farmers in each district. These men are not able out of their own means to establish the voluntary system, and the effect will be that these men will withdraw themselves from the country, and will abandon their estates. We have heard much of the evils of absenteeism; but the immediate effect of disendowment and disestablishment will be to create such an amount of absenteeism as never has been seen before. Landowners will not sell their estates, because they will not for many years sell at their nominal value, which will be further depreciated by this change; but they will leave them to be managed by agents. They have families to bring up, and they have settled in those districts on the faith that Parliament would maintain the Church that has been established so long; and those who know them best say that they would almost immediately withdraw from their estates. This class above all others is on terms of amity and good-will with the Roman Catholic population. The most ardent Catholic will not say that these men have in any way made themselves offensive to the mass of the population. On the contrary, their influence has been salutary and good, and they have done more than any other class to reconcile the people to British rule. The removal of this class under the proposed arrangements must inevitably result in serious evil. The other day a dinner was given to the right hon. Member for Lewes (Mr. Brand), in testimony to a course of conduct in this House which, I am sure, everyone on this side of the House highly appreciates, and on that occasion the hon. Member spoke about the Irish Church. I quote it as a specimen of the extraordinary misconceptions which prevail in this country on this subject. Describing the Irish Church, he said—

> "It is established against the will of the great body of the people; it is mainly supported by the labour of the many, who are poor, for the benefit of the few who are rich. It has no parallel, so far as I know, in the history of the world."

I challege the hon. Member to show that the labour of a single poor man in Ireland is charged a single halfpenny for the support of the Irish Church. The property of the Church is not the property of the clergy or of the laity, but of the Church at large. It is derived entirely from the estates of the rich, and if the Irish Church were taken away to-morrow not a single tenant in Ireland would have his land cheaper, and not a single labourer would be called upon to pay a penny less than he does now. The hon. Member also said the Irish Church has no parallel in the history of the world. I suppose he means it has no parallel because it is not the Church of the majority; but in Wales a precisely similar state of things prevails. The hon. Member's third statement is that until this question has been settled, disaffection will continue to exist in Ireland, and the country will remain in a chronic state of insurrection. [Mr. MONSELL: Hear, hear!] The right hon. Member for the county of Limerick cheers that statement. No one knows the present state of the country better than I do, and I maintain that Ireland is not in a state of chronic insurrection. Insurrection has been tried, and has utterly failed. There is no sympathy with actual insurrection. I believe it will be impossible to prove that that amount of disaffection and discontent which I admit does exist to a great extent among certain classes of people can be traced to the existence of the Irish Church. The opinion that it can has been challenged over and over again in the course of this debate, and no one has taken up that challenge. No one has attempted to prove that Fenianism and disaffection have any connection with the Irish Church, although there have been many repetitions of the assertion that such is the case. No one has attempted to connect the Irish Church with Fenianism; for the latter comes from America. If you take the speeches of the Fenians you find that strong feelings of nationality pervade them all; the past wrongs of Ireland and the neglect of the Government are eloquently and forcibly described; Republican sentiments and principles are put forward; hatred to England is expressed in every shape and form, and even war with England is enforced as a duty. But it is nowhere declared that the demolition of the Irish Church is one of their objects, or that its existence was one of their grievances. I would merely refer to a remarkable document which was issued by the Roman Catholic clergy of the county of Meath, and in which it is declared that the Church question is not so important as the land question — that the Irish Church might be useful for a party manœuvre, or for displacing a Government, but that as for thinking that the Irish Church was one of the standing grievances of Ireland, it was an entire mistake. It has been said during this debate that the existence of the Established Church is a standing grievance to the Roman Catholics, inasmuch as it brings to the recollection of the Irish the times of the penal laws, and when oppression reigned from one end of the country to the other. But let us see what Mr. Mitchell says—

> "But this, also, is all past and over. The very penal laws, last relics of that bloody business, are with the days before the Flood. And, though it be true that the mode of planting this Established Church of Ireland — first enthroning a whole hierarchy of Archbishops and Bishops and then importing clergy for the Bishops, and parishioners for the clergy — was of all recorded apostolic missions the most preposterous; though the rapacity of those missionaries was too exorbitant and their methods of conversion too sanguinary; yet now, among the national institutions, among the existing forces that make up what we call an Irish nation, the Church, so far as it is a spiritual teacher, must positively be reckoned. Its altars, for generations, have been served by a devoted body of clergy; its sanctuaries thronged by our countrymen; its prelates, the successors of those very Queen's Bishops, have been among the most learned and pious ornaments of the Christian Church. Their stories are twined with our history, their dust is Irish earth, and their memories are Ireland's for ever. In the little church of Dromore, hard by the murmuring Lagan, lie buried the bones of Jeremy Taylor; would Ireland be richer without that grave? In any gallery of illustrious Irishmen, Usher and Swift shall not be forgotten; Derry and Cloyne will not soon let the name of Berkeley die; and the lonely tower of Clough Oughter is hardly more interesting to an Irishman as the place where Owen Roe breathed his last sigh than by the imprisonment within its walls of the mild and excellent Bishop of Kilmore. *Sit mea anima cum Bedello!* When Irishmen consent to let the past become indeed history, not party politics, and begin to learn from it the lessons of mutual respect and tolerance, instead of endless bitterness and enmity, then, at last, this distracted land shall see the dawn of hope and peace, and begin to renew her youth and rear her head among the proudest of the nations."

Now, Sir, we are told this proposal is made in the interests of peace. The whole country sighs—members of all classes and of all creeds — for nothing so much as peace; and I agree with my right hon. Friend the Secretary of State for the Home Department that there is no sacrifice of opinion that he, or I, or any Member of the Government would not be prepared to make, short of an absolute abnegation of principle, to secure even partially a result so much desired. But we do not believe that these Resolutions are calculated to carry peace to Ireland. I believe that the struggle which the right hon. Gentleman has initiated in renouncing all his former opinions will be both fierce and long. I believe that no one will benefit by it but the bitterest enemies of Ireland; and that its effect will be to divide the country into two hostile camps. It will tend rather to the aggravation of the animosities, ill-feeling, and religious rancour which are already too rife, than to the promotion of contentment and peace. The right hon. Gentleman says that the hour has arrived, and that he is only obeying the call of duty. I can only say that it is most unfortunate that that call of duty should have sounded at the precise moment when of all others, for the first time during thirty-five years, it is physically impossible that any advance can be made in dealing with the question. There has been no moment, perhaps, in our Parliamentary history when, it was so entirely impossible to deal with the Irish Church. There is already so much business before the House, business that must be transacted, if at the early part of next year you wish to appeal to the new constituencies, that there is scarcely sufficient time left for us to get through it. Nor can I believe that this Parliament, which is so soon to cease to exist, is a body that can satisfactorily deal with this question. I do not deny that it possesses the right; but I maintain that the time is most inopportune, and it will be impossible for a Parliament with so much already to do to deal with a question of this sort with any probability of success. A question of such magnitude cannot be settled without an appeal to the people, and your expression of opinion will in no way be binding on the next Parliament. I oppose this Motion because I believe it to be premature, because I think it will lead to much strife, and because I know that you have not the information necessary for the discussion of a subject which, in my opinion, could not in any case be satisfactorily settled during the present Session. I feel it my duty, therefore, in common with my Colleagues, to give my opposition to Resolutions which I cannot but regard as factious and mischievous.

Colonel GREVILLE-NUGENT said, he did not think that the proposals of the Government were at all adequate to meet the serious state of things that existed. The great evil in Ireland was the religious ascendancy of a small minority over the rest of the nation. The only cure was the establishment of religious equality. When it was stated that the existence of the Irish Church was not regarded by the Roman Catholic population as a grievance, and when it was sought to prove this assertion by showing that there was not much complaint made in Ireland against the Establishment, it should be remembered that the Irish people had not forgotten what took place thirty years ago, when they attempted to agitate the question. The fact was, that the Irish people believed that if they agitated they would be punished; and though they also knew that if they remained quiet their attitude would be construed into indifference, they preferred the latter alternative to the former. The Church Establishment in Ireland violated the very principle of an Establishment, for it had nothing in common with the great body of the people, who refused to receive its teaching. It had not answered the purpose for which it was intended. It had not converted the Irish people to the religion which it taught; but it had the effect of alienating their minds from the State, and from the belief which was supported by the aid of the State. In fact, while it had not made them Protestants, it had made them bad citizens. The noble Earl the Chief Secretary for Ireland (the Earl of Mayo) had said that they must beware lest they alienated an influential class, bound to this country by a sacred tie; but he should like to know what peculiar tie bound that class more than any other to this country? It appeared to him that if the Government evinced a disposition to do justice to all parties, they would hear few complaints from Ireland. Lord Cornwallis, the Lord Lieutenant of Ireland at the time of the passing of the Act of Union, had left on record his opinion of the party which the noble Earl had said had such peculiar claims on the country. Lord Cornwallis's opinion was, that if the Minister of the Crown mistook that violent and prejudiced party for the people, and threw himself into their hands, no advantage would be derived from the Union. Justice must be done to all, and no one had a right to complain when equality alone was asked for. In the *Quarterly Review* of January there appeared an article upon Ireland, one passage in which made a great impression upon him. The writer observed that Ireland was the problem of problems to the English statesman. In its future, the future of our Empire, of our race, of our civilization was wrapped up; and it was to be feared we did not sufficiently estimate the enormous interval between our relations to Ireland and those towards the dearest and most favoured dependency of the British Crown. What Parliament had refused to Ireland it had fully granted to Canada. The Irish Church was an institution for the preservation of which the penal laws had been enacted, and it was consequently associated in the eyes of the people with oppression: and as long as that Church remained it was impossible for them to turn their backs on the past—which they all desired to forget—or look with hope to the future. The postponement of Parliamentary Reform for Ireland would be a misfortune; but to postpone dealing with the question of the Irish Church would be a calamity; for such a course would convince the Irish people of the insincerity of British statesmen and of the indisposition of that House to do them justice. It would strengthen the hands of the enemies of England, add to the hopes of those whose eyes were turned towards the West, and increase ten-fold the difficulties of those who had some influence with the people, and who endeavoured to keep them within the lines of the Constitution, and to persuade them to look to that House for the redress of grievances. It was necessary that the House should act in this matter now; for unless something was done in the present Session the people of Ireland would not be convinced of the determination of the House to do them justice. It had been said that there were Leaders in that House "who would not lead, and followers who would not follow;" but the right hon. Gentleman the Member for South Lancashire had shown himself to be a Leader who would lead, and he believed that the right hon. Gentleman would find the great party on the Opposition side of the House to be followers who would follow. But if that were not so, the right hon. Gentleman at any rate, would in the next Parliament, elected by the new constituencies, be supported by a large majority, who would triumphantly carry this question of the disestablishment of the Irish Church to a successful issue.

SIR CHARLES LANYON said, he was unable to express to the House with what indignation the Resolutions of the right hon. Member for South Lancashire (Mr. Gladstone) had been received by his constituents, and in the North of Ireland generally. Belfast had long been remarkable for its loyalty and its endeavours to put down sedition. Could it be that the House would recompense that attachment to the Throne by the destruction of that which those loyal people valued so highly? Viewing the question without the violent political prejudices of some persons, he sincerely believed it was merely a sentimental grievance. The Resolutions would substitute for it a substantial grievance. The destruction of the Protestant Church in Ireland was merely another step gained in the ladder of Roman Catholic ascendancy, and would be followed by other agitations. In 1826 Dr. Doyle said that, if Roman Catholic Emancipation were conceded, Ireland would become contented and happy; but what had been the history of the country ever since? What did the famous Limerick Declaration say? He could not refrain from reading one or two extracts—

> "A land tenure will accomplish something; removal of the Protestant ascendancy, by placing the Protestant Church in the same position before the State as the Catholic Church, will accomplish much; equality in education, and the removal of the anomaly of giving a freedom of education on the condition of people giving up freedom, will do its share, and we will hail any and all of them with thankfulness; but we feel bound to say that, when all of them have been granted, safety from foreign danger, perfect development of home resources, and we repeat, above all, the heart of this country will require nationality."

The explanation of that nationality was given in a concluding paragraph, as follows:—

> "The very nature of the remedies required to make Ireland rich and contented renders it impossible for a British Parliament to adopt and apply them; and, besides that, home aspirations and the plea for Irish intervention from abroad can never be met unless by restoring Ireland her nationality, re-establishing the Sovereign and the Lords and Commons of Ireland."

No concessions, he maintained, would satisfy Ireland except the granting of this nationality. In 1826 the Roman Catholic hierarchy declared on their oaths that they would not exercise any privilege to which they were or might become entitled to weaken or disturb the Protestant religion and Government established in Ireland; but now their Bishops demanded the disendowment of the Established Church of that country as an indispensable condition of "social peace and stability." Could any one doubt that the result of passing the Resolutions now before the House must be the repeal of the Union between England and Ireland? Under such circumstances, was it well to destroy the "garrison" that had been so often referred to, and which had hitherto succeeded against all assaults in maintaining inviolate that Union between the two countries, on which their prosperity depended. Earl Russell said it would be politically injurious to destroy the Established Church, because it would alienate from England many of the most loyal men, who were fondly attached to that institution. It was often urged that the feelings of the majority should regulate the action of that House, but it should be remembered that a very large majority of Protestants existed in the North of Ireland. In the counties of Antrim, Armagh, Down, Tyrone, Fermanagh, and Derry alone, which formed the principal portion of Ulster, there were 1,400,000 inhabitants, of whom 825,000 were Protestants and 575,000 Roman Catholics; so that in those six counties the former were 45 per cent in excess of the latter. He admitted that many of these Protestants were Presbyterians; but they sympathized with the Episcopalians, and were as much interested as they were in the present Resolutions. Having quoted the opinion of the late Mr. Justice Shee, a Roman Catholic, in support of the rights and position of the Established Church, the hon. Gentleman next cited the authority of Lord Plunket, the greatest Whig lawyer that Ireland ever produced, and the able advocate of the Emancipation Act. Lord Plunket said—

> "If the Protestant Establishment of Ireland were destroyed, the very foundations of public security would be shaken, the connections between England and Ireland dissolved, and the annihilation of private property must follow the ruin of the property of the Church. The two countries must be separated before the Establishment can be abandoned."

Again he said—

> "I consider the safety of the State as essentially interwoven with the integrity of the Establishment. The Established religion is the child of freedom. Our civil and religious liberties would each of them lose much of their security if they were not so deeply indented each with the other. The Church need not be apprehensive. It is a plant, the growth of 300 years; it has struck its roots into the centre of the State, and nothing short of a political earthquake can overturn it. While the State is safe, it must be so. The Pro-

testant religion in Ireland was perpetually incorporated at the Union. It forms a part of the fundamental, unalterable law of the Empire. The possessions of the Protestant clergy are their absolute property, secured to them as sacredly as the private possessions of any individual are secured to him. To subvert the Protestant Establishment is to subvert the State. I will maintain that the property of the Church is as sacred as any other."

The hon. Member for Tipperary (Captain White) the other night attributed to the ascendancy of the Irish Church the riots which he said periodically made the streets of Belfast flow with Irish blood; but that was a great exaggeration, and the true cause of those disturbances was the partial administration of the law by Liberal Governments. Let him contrast the expense incurred in maintaining the peace in two counties of nearly equal population, the one situated in the North, the other in the South of Ireland. He would refer to the county of Down with 237,000 inhabitants, and the county of Tipperary, with 249,000. In the first-named county there were 262 constabulary, who were maintained at an annual charge of £15,000, whereas in Tipperary the number of constabulary was 1,009, and the sum required to support them was £50,000 per annum. He solemnly trusted that, for the honour of the country, no such injustice would be inflicted upon the Protestants as was proposed in the Resolutions of the right hon. Gentleman the Member for South Lancashire.

Sir THOMAS LLOYD said, that he did not regard this question as one of party, and no party consideration would influence his vote. It was an undoubted fact that the Irish Church was felt in Ireland as a grievance; and if he did not believe that Mr. Gladstone's Resolutions met that grievance or thought that they were framed to attain personal objects, he would not vote for them. An analogy had been attempted to be drawn between the Irish Established Church and the Established Church in Wales, but, speaking from his own experience, he could inform the House that no such analogy existed, because in his part of the kingdom the Nonconformists supported their own churches only, and those who belonged to the Church of England were content to worship in chapels which they built themselves. The Nonconformists were very numerous in Wales, but the Church of England was respected by the great majority of the people of that country; moreover, the Established Church and the Dissenters were connected by the bond of a common reformed Faith. With respect to the observations of hon. Gentlemen that the existence of the Irish Church was a sentimental grievance, he reminded the House that nothing was stronger than a sentiment of nationality; and they had recently seen in foreign countries peoples who had been ground down for centuries, animated by a spirit of nationality, rise and assert the independence of their country. As a Welshman, he felt he owed a debt to the people of Ireland. It was from Milford Haven in Pembrokeshire—a county with which he was specially connected by property and ancestry—that Strongbow, Earl of Pembroke, started upon the conquest of Ireland. The badge of conquest would, he hoped, to-night be effaced. He would say to the people of Ireland "Let there be no strife between you and us, for we be brethren." In his opinion, the disestablishment of the Irish Church would be a concession which would be gratefully received in Ireland; and on that ground he should vote with the right hon. Gentleman.

Viscount HAMILTON said, that with a few words by way of explanation, he should support the Amendment of the noble Lord the Secretary of State for Foreign Affairs. The time was inopportune for any such a measure as was proposed by the right hon. Gentleman opposite (Mr. Gladstone). A Commission of Inquiry was at present sitting upon the subject of the Irish Church. The Report of that Commission was anxiously looked forward to, and would shortly be before the House; and to such modifications and improvements as were suggested by the Commissioners he would be prepared to give his most earnest consideration. He would, however, listen to no suggestion for the destruction of one of our most venerable institutions. Whether he looked at the time or the circumstances, the matter or the form, the spirit or intention of the Resolutions of the right hon. Gentleman, he should give them his inflexible opposition. The question was one of universal importance to Ireland; but connected, as he was, by property, residence, and feeling with the North of Ireland, he might be excused if he confined his observations to the province of Ulster. He asserted that the English Church in Ireland was a blessing to the community at large, and an advantage, instead of an injury, to the Roman Catholics. That this was their opinion was proved by the cordiality and good-will which the warm-hearted peasantry of that country—even the poorest man in the land—showed to the clergy of the Protestant Church. It had been argued that Protestantism was a failure in Ireland; but facts proved the very reverse. Hon. Members might remember in the last chapter of Mr. Froude's *History of England* a picture of the state of Ulster at the period to which his history referred—the savage manners and barbarous condition of the people, the bloody feuds of rival chieftains, and the general insecurity of life and property. The regeneration which had taken place had been the result of the beneficent influence of Protestantism. It was untruly said that England instituted one set of laws for herself and another for Ireland. The first Parliament summoned by James of Scotland consisted of 220 members, 100 of whom were Roman Catholic Gentlemen. How did the Church of Ulster obtain the bulk of the property which formed its glebes and estates? By the same grants and title-deeds by which the nobility and gentry of Ireland obtained their property. The latter would consider this assault on the rights of the Church as a direct attack upon their own property and rights. All the conditions imposed by the Commissioners for the plantation of Ulster had been fulfilled. Houses had been built, the land had been cultivated, and the Gospel had been preached. The country did not then possess more than fifty civilians; it supported at the present moment more than 200,000 industrious people. By what right or law did the right hon. Gentleman propose to seize the property of the Church? For himself, he would make common cause with the people and gentry of the North of Ireland in resisting so revolutionary a proposal. At the same time he was ready to give to the Roman Catholic clergy the same advantages in regard to glebes which the Protestant clergy possessed. The right hon. Member for Lewes (Mr. Brand) was reported to have said, on a recent occasion elsewhere, that the Church of Ireland was the Church of an insignificant minority. If the right hon. Gentleman had read the history of Ireland, he would have found that this insignificant minority included men who had ruled in the Councils of the State, who had led armies to battle, and turned battles into victories. A great deal had been said about the Act of Union, and he wished to add something about the Act of Settlement. In the great conflict in which Strafford was concerned, the Roman Catholics combined with the Puritans for the purpose of impeaching Strafford. The Puritans and the Roman Catholics afterwards quarrelled, and Cromwell, who overthrew the State and the Church, crushed the Roman Catholics to the earth. Their nobility were turned out of Parliament, were banished, and became wanderers over the face of the earth. The Protestants passed the Act of Settlement, and these expatriated Roman Catholic noblemen were restored to their properties by the first Cavalier of the day, and the staunchest Protestant in the land — the Duke of Ormond. And while the properties of individuals were restored, the property of the Church was also replaced. The right hon. Gentleman the Member for South Lancashire now proposed to do what no revolutionist had yet succeeded in doing—to repeal the Act of Union, to break down the Act of Settlement, and to uproot the plantation of Ulster. That plantation could not be charged with failure. The towns there had never lost their population, though in other parts of the country the population, unhappily, had fallen off. And yet it was from these successful districts that the right hon. Gentleman wished to take away a cherished institution. Fenianism had existed in Ireland for the last four years; but it found no congenial soil in Ulster. The loyalty and quietude of the population there enabled the Government to take away both troops and police, and send them South to the disaffected districts. And what had been their reward? Why, the right hon. Gentleman, basing his proposals upon the existence of this very Fenianism, proposed to strike down the Church to which those loyal men were so deeply attached. Our policy for Ireland should be, not to destroy, but to build up. We should not inflame and enrage the minds of one section of the community against another. He trusted that the commotion that had been excited would soon cease; that one party would vie with another for their country's good; that rich absentees would return to the land which nourished them; and that we should hear no more of absentee landlords. He hoped that the coming auspicious visit would be the commencement of a new era, and that we might soon find Ireland united and happy, and forming as contented a people as could be found in any portion of Her Majesty's dominions.

Mr. CARDWELL: At a much earlier period of this debate, Sir, I should have attempted to catch your eye, and, with the permission of the House, to have put forward some arguments on this great and most important subject. I was prevented, however, by one of those accidents to which we are all liable, and which makes it impossible now that I can long trespass on the attention of the House. But, having had the privilege of taking some part in the government and administration of the affairs of Ireland, I feel that I should be wanting in what a sense of duty prescribes to me if I were not to express briefly the opinions which I entertain upon this question. I am anxious, also, with the permission of the right hon. Gentleman opposite, to address to him a few observations. In the recent speech of my right hon. Friend the Secretary of State for India, he called upon us very emphatically to join in putting a clear and intelligible issue before the body of our countrymen who will have the decision of this question in their hands at the hustings; I am most desirous to close with that proposal of my right hon. Friend. But if the First Lord of the Treasury had been present when the powerful speech of my hon. Friend the Member for Exeter (Mr. Coleridge) was delivered, he would have heard in the most perspicuous form from him, what, indeed, he could not have failed to gather from some speeches upon his own side of the House as well as ours, that there is something wanting in this debate, in order that the new constituency—to whom, we are told this question is to be relegated—may have before them a clear and decisive issue upon which they can pronounce. We had the pleasure, in this debate, of hearing my noble Friend the Secretary of State for Foreign Affairs, and likewise—to me it was a great pleasure—of hearing from my right hon. Friend the Secretary of State for the Home Department, arguments and sentiments which, though I differ from his conclusions, and dissent from his arguments, I yet rejoiced to hear expressed with all the eloquence which sincere conviction imparts, in language of clearness, of spirit, and of power. We have also heard a speech from my noble Friend who is principally responsible for the government of Ireland, to which we listened with the respect and attention that belong to his high character, and to the office which he holds. Well, have we gathered from these three voices any clear and intelligible issue? From my noble Friend the Secretary of State for Foreign Affairs we understood that the policy of the Government consisted in the re-distribution of the funds of the Established Church of Ireland, not within the circle of the Established Church, but beyond and outside of it. We understood from my right hon. Friend the Secretary of State for the Home Department, in that clear and emphatic language which he possesses, that he, at least, would not consent to anything but re-distribution within the circle of the Established Church; while, from the noble Earl, who is chiefly responsible for the Irish Government, we understood that the Government have a policy which consists in "levelling upwards." The precise meaning of that phrase I do not understand; but I presume it means the preservation to the Church of all its existing property, and the application to other sources—and those, I presume, the usual sources—for the funds out of which other endowments are to be provided. Now, these three statements are irreconcilable with each other; and I venture to place them before the right hon. Gentleman, in order that before the debate closes, we may have the advantage of a statement from the highest authority as to what is the real policy and view of the Government. In an earlier debate, which we had upon this subject, the right hon. Gentleman, although he did not adhere to the language of his memorable speech in 1844, yet declared that he adhered to the general sentiments which that speech expressed. I was glad to hear that expression; for that speech contains sentiments in which we cordially concur, and shall be delighted, if the right hon. Gentleman now adheres to them, to give him all the support and assistance in our power. But that speech appears to me to be directly at variance with the recent letter addressed by the right hon. Gentleman to the noble Earl, who is the Chairman of the Constitutional Association, and we, therefore, think we have a right to ask the right hon. Gentleman to favour us, in the remarks he is about to make, with a clear and intelligible statement as to what really are the intentions of the Government. If the House will allow me, I will very briefly indicate the view which I am desirous of giving effect to. I think that no one can take any part in the administration of affairs in Ireland, if he has before been a stranger to that country, without feeling that the moment he crosses the Channel, he is placed in circumstances for which all his acquaintance with England, and it may be with Scotland, leaves him entirely unprepared. Whether his duty be the conduct of public affairs, or whether he mixes in private society, there is the broadest contrast between what he left behind him and what he finds in Ireland. The Rhone and the Arve are not more marked in their channel by the blue waters of the one, and the snow-coloured waters of the other, than are the Roman Catholic and Protestant populations of Ireland. Do what you will you cannot fuse them; and if you will ask yourselves what is the cause of this difference, you immediately perceive that to which you are perfect strangers in this country — an uneasy sense of superiority before the law on the one side, and an equally uneasy sense of inferiority on the other. Does this arise from the possession of property? You have Catholic landlords and Protestant landlords, Catholic tenants and Protestant tenants, Catholic merchants and Protestant merchants. The difference, then, does not arise from any division in the ordinary pursuits of life. Does it arise from any determination on the part of the Government to show favour to the one and withhold it from the other? No; I fully agree with my noble Friend opposite (the Earl of Mayo) that the present Lord Lieutenant is a popular Lord Lieutentant, and that his administration is free from partiality. I do not charge on Gentlemen opposite any more than I should accept such a charge with regard to us, that favour is shown to the Protestants at the expense of the Catholics. What, then, is the cause? Trace it back to its origin, and you will find that the Established Church of Ireland is at once the symbol and cause of the division. It was established as a mark of superiority by Henry VIII. Protestant historians record that, at that time, it was regarded by the higher classes as a mark of the invaders' superiority, while by the lower classes it was regarded as anti-national. Protestantism, in defiance of one of its first and most important principles, offered its ministrations to the people in a language they could not understand. Then, in the time of Elizabeth, the Church was established by a Parliament in which the Catholic Peers, who were in the majority in the Upper Chamber, were overcome by Protestant Bishops; while in the Lower House we find representatives summoned for ten counties only. The rest, which made up the number seventy-six, being citizens and burgesses of those towns in which the Royal authority was predominant That being its origin, what has been its course and history? It has had able and eminent men; and of late years, I freely admit, for I have the honour of an acquaintance with many of them, nothing could exceed the virtue and excellence of their character. But whether in the evil time, or whether in the time when a more active spirit has prevailed among the clergy, its history is one and the same—it remains the Church of the few for whom it was established, and the many who were without its pale at the commencement are without it still. Is this just, or politic, or necessary? Semi-persecution cannot be wise; real persecution, however odious and detestable, may accomplish its object. It has rooted out Protestantism from Spain and other countries, and by that course you might succeed. But is it reasonable to suppose that you can admit Roman Catholics to the highest offices of the State, that you can conduct the Government through Roman Catholics as well as Protestants, that Roman Catholic Judges and jurymen may administer the law, and yet that in the most important respect of life you can refuse them the privilege of equality? Why, the thing is impossible. It has been eloquently asked whether we should submit to it, or whether any of our colonies would do so? Now, we have a case in point in our most important colony. There was a Church Establishment in Canada, and when you gave Canada a free Government you endeavoured to retain that Establishment. Did you succeed? No; after a very few years you were compelled to make over to Canada the power of dealing as they pleased with the provision for their clergy. Then we hear arguments about the Act of Union. Now, what is that but to tell Ireland how much better it would be if she were a colony; for then the government of the Church would be made over to her? Who can doubt that an Irish Parliament elected by such a constituency as you have given to Canada and Australia would soon put an end to this institution? Are you prepared to tell Ireland that by virtue of the Act of Union, and that alone, this institution is maintained? Would Scotland endure it? Remember the eloquent language in which Lord Macaulay describes the effect of the Union with Scotland. He tells you that if you had carried into Scotland the principle you adopted in Ireland, the Union, instead of being a source of strength, would have been a source of weakness, and that the power which Scotland possessed would have been not an addition to the power of England, but a deduction from it; in which case England would not have held her present high place in the estimation of the world. He closes with these memorable words,—"One such Church" (as the Irish) "is enough for the energies of any Empire." I think it was not right to raise this question until the time had arrived when there was a possibility of arriving at a satisfactory conclusion, and I believe there is now that possibility. The noble Earl the Chief Secretary for Ireland said there was never an occasion since the Reform Bill when there was so little prospect of bringing a question of this kind to a satisfactory conclusion. I venture to differ from him. We are told, if not that we are not competent to settle it, that at least we ought not to settle it, because the constituencies were not alive to it when we were elected. But what we are now debating is whether we shall have a clear and intelligible issue. Let us go into the Lobby on a clear issue, so that the constituencies may know what are the sentiments of each party. We think it is our duty not only to express our opinions in this Parliament; but also to take the steps necessary to secure to our successors a complete jurisdiction over the subject in the state in which we find it. We all agree that the final and permanent settlement of the question is to be referred to a new Parliament and the new constituencies. The right hon. Gentleman at the head of the Government told us recently that he had spent half his life within the walls of the House of Commons, having entered this House in 1838. Many of us have had the same privilege and honour, and it is no small honour, for no other Legislative Assembly upon record has inscribed on its roll so many great measures as those which we have passed during the last thirty years. The first of those measures was the abolition of slavery in every part of the dominions of the Crown, and I earnestly hope that the last will be a decisive step in the course of that legislation which will tell the Queen's Irish subjects that, whether they be Catholic, Presbyterian, or members of the Anglican Church, they shall for the future be equal in the eye of their Sovereign and of the Law.

Mr. DISRAELI: Sir, the right hon. Gentleman the Member for South Lancashire has moved that we should go into Committee of the Whole House upon the subject of the Irish Church, in order that he may propose Resolutions which he has placed upon the table. We have not at present to discuss those Resolutions, which would lead us into matters of great detail, of constitutional interest, and of legal difficulty, which might divert us from the general topic which now engages our attention. I apprehend that, so far as the right hon. Gentleman is concerned, there is no mistake as to his general meaning; for, although he has not yet had an opportunity of moving his Resolutions, he has expressed the outline of the policy which he proposes that this House and the country should adopt. I apprehend that I am not in any way misrepresenting his meaning, or misinterpreting his expressions—a thing most foreign from my intention—when I say that the right hon. Gentleman proposes to terminate the connection between the State and the Church, so far as Ireland is concerned, which, in neological phrase, is styled disestablishment; and that he proposes a policy, which first partially, and in the end completely, would accomplish the disendowment of the Church in Ireland. I believe I have correctly expressed what the right hon. Gentleman has stated —or rather intimated—and what, if opportunity offered, he would in more detail bring under our consideration. Well, Sir, this question having been brought before the House and the country somewhat suddenly, as all will admit, the Government had to consider what was the proper mode in which to encounter it. They might have moved the "Previous Question" to the Motion for going into Committee. That is a course which upon the same subject was, I believe, adopted by our predecessors three years ago, and it is a course which is much approved by those who have experience of Parliamentary life when they deal with difficult questions. It might have been prudent three years ago to meet this Motion by moving the Previous Question; but I think myself, considering the circumstances under which this question is now brought forward, not by an isolated and independent Member of Parliament, but by a party of considerable power, by the Leader of the Opposition in this House, and under circumstances, as it appears to us, of precipitation, and, consequently, being a question which attracts, and even alarms, the public and the House —it would have been unwise of us to have taken refuge in a course at all times ambiguous, and not altogether satisfactory.

Well, Sir, a Motion to consider the condition of the Irish Church, or, strictly speaking, to go into Committee for that purpose, we might have met with a direct negative; but what would have been the inevitable inference which would have been drawn from such a course on our part? It would have been said we were of opinion that no change, no improvement, no modification, was necessary, expedient, or desirable, in the condition of the Church in Ireland. That was not the conclusion we wished to express; that was not our opinion; and I will meet in due course the demand of the right hon. Gentleman who has just sat down on this subject that, so far as we are concerned, there shall be a clear and intelligible issue. But, if it were our opinion that the condition of the Church in Ireland was susceptible of beneficial changes, how could we, without exposing ourselves to the grossest misrepresentation of our views, have met the Motion with a direct negative? Who can doubt what would have been the inference drawn? In their speeches, hon. Gentlemen would have asked, "Is the old reign of bigotry never to cease? Are you resolved to oppose all improvements? Are you prepared to deny that there are any anomalies to be corrected in arrangements which were somewhat hastily settled at a period of great political excitement forty years ago? Are you doggedly determined to say that there is no possible room for improvement in the condition of the Irish Church?" We know that that would have been the general tenor of the speeches of hon. Gentlemen opposite; and, Sir, not only to avoid those reproaches, but because we are of opinion that considerable modifications may be made in the temporalities of that Church, highly to the advantage of the Church herself, we could not take the course of meeting a Motion of this kind with a direct negative. What was the third means open to us? To move an Amendment. An Amendment has been moved by my noble Friend the Secretary of State for Foreign Affairs, which has been the object of much criticism, as has been every Amendment moved since I have sat in this House; but I am prepared to maintain that this Amendment is drawn in strict accordance with Parliamentary experience and precedent. We took that course, acting on the example of the most eminent men that ever guided the deliberations of the House of Commons; and we took it believing that it was the one most advantageous to the public interests. Now, Sir, when Sir Robert Peel was the Leader of the Opposition, of that long Opposition—the Opposition of seven years—a "seven years' war"—when the circumstances of the House were not very different from those which now prevail — when there was, as there has now been for many years in this House, a balanced state of parties; and when every year there was not one but more than one struggle for power between the great parties — on any occasion when, as on the present occasion, a Motion was to be met by an Amendment, the invariable advice of Sir Robert Peel was this:—"If you are obliged to have an Amendment, never attempt to express your policy in an Amendment. If you attempt to express it fully, you will produce a long and cumbrous document, which will open an immense number of issues, and which must bring about very protracted discussions. If, on the other hand, you adopt concinnity of expression and condensation, you will be accused of ambiguity and equivocation. The province of a party is to express and vindicate its policy in debate. Your Amendment should never be inconsistent with your policy; but you should fix on some practical point which, if carried, would defeat the Motion of your opponent." Now, Sir, I think that very sound advice, and it has been invariably followed, not only by Sir Robert Peel's friends, but by his distinguished opponents. If you look to all the Amendments drawn up upon all great occasions by Sir Robert Peel and his party, and by Earl Russell and his party, you will find that that rule has been invariably observed. Well, with this view, in drawing the Amendment, Her Majesty's Ministers fixed on two points, which they thought essentially practical—which, if the House accepted them, would defeat the Motion of the right hon. Gentleman, and which are perfectly consistent with the policy which I am prepared to explain, expound, and uphold. These two points had already been mentioned to the House in the observations which I took the liberty of making when the hon. Member for Cork (Mr. Maguire) brought forward his Motion on the State of Ireland. I mentioned then that in our opinion, so far as the Church in Ireland was concerned it was most expedient that we should await the Report of the Royal Commission which has been recently appointed, and which has been extremely industrious, as we have reason to believe, in its labours. That Report we believed would be in our possession, I will not say in an early part of the Session, but in the spring of this year. That was one position I took up. There was another: I denied the moral competence of this House of Commons to enter on a discussion of this question with a view to its settlement. I did not, as the right hon. Gentleman the Member for the City of London (Mr. Goschen) the other night stated—I did not resist the Motion on the ground that this was what he called a moribund Parliament. Nothing of the kind; Although this might be the last Session of the present Parliament; and although when an election takes place for a future Parliament the appeal may be made to a larger constituency, I do not for a moment bring forward those circumstances as the basis of the argument that this House was not morally competent to deal with the question. I rested it precisely on another reason. I said that when a fundamental law of the country was called into question—though technically and legally this House had a right to do anything within the sphere of the House of Commons—it was not morally competent to decide such a question, if those who had elected it had not, in the constitutional course of our public life, received some intimation that such a question was to come before it. That is what I said. It is very different from the misrepresentation—unintentional of course—of the right hon. Member for the City of London. Well, now I ask, had the country the slightest intimation during the last few years—previous to or during the period of the political existence of this House—has it had the slightest intimation that this important, this all important question—not only from its specific nature but also from the ulterior consequences which it may induce—would be brought under discussion in Parliament? I appeal to the programme of the Prime Minister of the time, which recommended a dissolution of Parliament and explained his policy to the country. There is not the slightest allusion to the state of the Irish Church in that programme. We know very well from the correspondence which has taken place between a prelate of the Irish Church—himself a man of eminent abilities and accomplishments—and the right hon. Gentleman—although the letter appeared to take the right hon. Gentleman by surprise the other night—we know that the right hon. Gentleman at the time of the dissolution had not the remotest idea that the Irish Church would become a great subject of discussion. Sir, it is impossible to suppose that the right hon. Gentleman is not sincere in anything which he writes at the moment he writes it, and I have not the slightest doubt that that was as honest a letter as even the right hon. Gentleman ever wrote. I do not throw the slightest suspicion on that letter. But, after all, what was the character of it? Is it not a record of the fact that only three years ago the right hon. Gentleman treated the question of the Church in Ireland as one which was totally without the pale of modern politics—that he thought it could never be revived or restored; that, if it were, he saw the immense difficulties arising from the Articles of Union; but that if it were revived or restored, and if these difficulties were mooted, his imagination could not conceive the possibility that in such a subject he should be mixed up. Well, that is evidence of what our leading men—men who guided the opinion not of their party only but of the country—thought of this great question. If that is not complete evidence of the view taken by Lord Palmerston and one of his chief Ministers in this House with regard to the question of the Church in Ireland and its political position, I say that no evidence can satisfy any person. Notwithstanding all this, the question is suddenly brought before us. Now, Sir, I take no exaggerated view of even the Articles of Union. I have not for a moment pretended that the Articles of Union between the two nations are irreversible. I have not for a moment pretended that the Articles of Union and the great Acts of Parliament which were passed to carry them into effect cannot by the consent of the Sovereign and of the Estates of the Realm be changed or modified. But this I will venture to say, that the Articles of Union and the great Acts of Parliament which were passed to carry them into effect are, as I think all must acknowledge, among the most solemn muniments of the nation; and I do say that it is preposterous that we should be asked to reverse such solemn muniments at eight days' notice. In the course of this debate I have heard hon. Gentlemen, referring to the Articles of Union and these Acts of Parliament, make remarks which seemed to me to strike at the root of all social security and political stability. We have been told that these Articles were negotiated between a Protestant Parliament in

Dublin and a Protestant Parliament in London. Sir, we cannot trifle with the history of our country in that way. What was the Bill of Rights? Are you prepared to give up the Bill of Rights because it was passed by a Parliament of boroughmongers? If you adopt the principle of analyzing so finely the constituent elements of the public bodies that have negotiated and agreed to the great documents which are the charters of the people's rights, you may invalidate our prime liberties and level a blow against the security of property and order, which has hitherto been the pride and the boast of this country. Well, taking these two points we endeavoured to comprise them in the Amendment. We expressed in the Amendment the opinion that, until we had the Report of the Royal Commission, it would be inexpedient for the House to enter into the consideration of the Church in Ireland; and, at the same time, we expressed our opinion that the decision upon these great points should be reserved for the new Parliament. And then we are told that because we used the word "reserve"—a strictly Parliamentary word—we invited the next Parliament to enter into a discussion of this question. Now, you may depend upon it that the next Parliament will not much care for our invitation. If we think we are going to hookwink or lead the next Parliament, or to deprive it of its fair privileges or prerogatives, we shall commit one of the greatest blunders ever committed by man. Why, Sir, in the free and frank expression of Parliamentary language, it is perfectly open to me or to anyone else to contest the moral competence of this House to do a particular act; but surely hon. Gentlemen would hardly have such language used in a formal Resolution. Therefore, in that Amendment, we did not state that the House was not competent to enter into the discussion of this matter; but, instead of using such explicit language we put it in a quieter and softer phrase, and said that the discussion ought to be reserved for a future Parliament. These are the two points which were intended to be conveyed in this Amendment. According to all Parliamentary rule and precedent nothing can, to my mind, be more unjustifiable in argument than the captious criticism which has been directed against this Amendment—criticism founded on an assumption which no one had a right to form.

Well, Sir, the right hon. Gentleman, in his opening speech, anticipated some of those criticisms, which it is unnecessary for me to notice. Perhaps I ought to notice the remarks which were made by the noble Lord the Member for Stamford. The noble Lord saw in this Amendment, of which I have given the House the plain history — I say the plain and true history — the noble Lord saw in the language of the Amendment great cause for mistrust and want of confidence. He saw immediately that we were about to betray the trust with which he deems us to be invested. The noble Lord is at no time wanting in imputing to us being influenced by not the most amiable motives that can regulate the conduct of public men. I do not quarrel with the invective of the noble Lord. The noble Lord is a man of great talent, and he has vigour in his language. There is great vigour in his invective, and no want of vindictiveness. I admit that now speaking as a critic, and perhaps not as an impartial one, I must say I think it wants finish. Considering that the noble Lord has studied the subject, and that he has written anonymous articles against me before and since I was his Colleague — I do not know whether he wrote them when I was his Colleague—I think it might have been accomplished more *ad unguem*. There is one thing which the noble Lord never pardons, and that is the passing of the Reform Act of last year. But I put it to the House what would have been the general state of affairs if the counsels of the noble Lord upon that subject had prevailed, instead of the suggestions which I made and which the House adopted? Now that we are free from the heat and the great difficulties and perplexities of the last Session, and can take, I hope, a fair view of what occurred, I would express my opinion—and I think it is not peculiar to myself—that we passed last year a most beneficent and noble Act. I have not the slightest apprehension—and I do not speak of my personal connection with the matter—but as the First Minister of the Crown I look with no apprehension whatever to the appeal that will be made to the people under the provisions of that Act. I believe you will have a Parliament returned to this House full of patriotic feeling and national sentiment, whose decision will add spirit to the community and strength to the State. Sir, the only objection which I have to these attacks of the noble Lord is that they invariably produce an echo from the other side. That, it seems to me, is now almost a Parliamentary law. When the bark is heard from this side the right hon. Member for Calne (Mr. Lowe) emerges, I will not say from his cave, but, perhaps, from a more cynical habitation. He joins immediately in the chorus of reciprocal malignity—

"And hails with horrid melody the moon."

The right hon. Gentleman has been extremely analytical upon the Amendment of my noble Friend—the Amendment, that is, of the Government, moved by my noble Friend; and his "zig-zag" commentary, founded on the assumption of circumstances that never occurred, and motives that never influenced us, was amusing at the moment. But how far does that commentary agree with the statement—the real statement — which I have given of the cause and origin of this Amendment? The right hon. Gentleman was extremely exuberant in his comments upon my character and career. I will not trouble the House with a defence of that character and career. I have lived in this House more than thirty years, and can truly say that during that time comments upon my character and career have been tolerably free and plain. But the House has been the jury of my life, and it allows me now here to address it, and therefore here is not the place in which I think it necessary to vindicate myself. The right hon. Gentleman the Member for Calne is a very remarkable man. He is a learned man, though he despises history. He can chop logic like Dean Aldrich; but what is more remarkable than his learning and his logic is that power of spontaneous aversion which particularly charaterizes him. There is nothing that he likes, and almost everything that he hates. He hates the working classes of England. He hates the Roman Catholics of Ireland. He hates the Protestants of Ireland. He hates Her Majesty's Ministers. And until the right hon. Gentleman the Member for South Lancashire placed his hand upon the ark, he seemed almost to hate the right hon. Gentleman the Member for South Lancashire. But now all is changed. Now we have the hour and the man. But I believe the clock goes wrong, and the man is mistaken.

Let me now ask the attention of the House to the present proposition before us. If I have for a moment trespassed upon their attention they will allow me to say that it has been in fair self-defence. I have never attacked anyone in my life—[*Loud cries of* "Oh!" *and* "Peel"] — unless I was first assailed. Now, Sir, no one can deny this, that the propositions of the right hon. Gentleman are very considerable propositions. They are vast and violent. All will admit that. ["No, no!"] Well, hon. Gentlemen say, "No;" but to disestablish an institution that has existed 300 years; that is in the possession of property; that is certainly supported by the sympathies of a great portion of the population of the country—surely to propose to subvert such an institution—without now going into the merits of the case—surely that is a vast and violent change. Well then, the first question I will ask is, "Why this change?" and upon that point we have had no satisfactory answer. We are told that there is a crisis in Ireland, and the hon. Member for Birmingham (Mr. Bright) the other night, with, I must say, one of those characteristics which he invariably displays, but in an agreeable manner, that of misrepresentation, said that I denied that there was anything critical in the state of Ireland, and that Ireland was, so far as my opinion was concerned, in a perfectly satisfactory state. Why, Sir, I never said that Ireland was in a satisfactory state. In a great debate like this the House will, I am sure, be indulgent to me if I touch upon some of these topics. I denied that there was an Irish crisis according to the interpretation of the right hon. Member for South Lancashire. The right hon. Gentleman, when the late Parliament was dissolved not four years ago, was of opinion that the Irish Church was a question totally out of the pale of modern politics. He seemed to shrink from the profanation of the idea that he or any human being could ever disturb it; and yet he is the man who now comes forward to abolish that institution. Well, I must look to the grounds upon which he founds such a violent proceeding. He said there was a crisis in Ireland; and, as I thought at the time, with dangerous candour, he analyzed that crisis and gave its causes and its elements. And what were they? Fenianism was one. Fenianism when he was a Minister was rampant and mysterious, and the more dangerous because it was mysterious. Fenianism now is not rampant; I think we have gauged its lowest depths, and we are not afraid of it. That is one of the evidences and elements of his crisis. Does it not seem rather strange that though Fenianism was so critical when he was a Minister we heard nothing of the crisis; but when I am a Minister, and Fenianism is so subdued, it is made the principal argument for a revolution. Well, what was the second element of the right hon. Gentleman? He said there was a startling and dangerous emigration from the country. I never liked the emigration from Ireland. I have deplored it. I know that the finest elements of political power are men; and therefore I have not sympathized with the political economists who would substitute entirely for men animals of a lower organization. I never heard an opinion of that kind from the right hon. Gentleman. I have always understood that the right hon. Gentleman and his friends looked on "the depletion" of Ireland not without satisfaction. But this I know, that the emigration from Ireland has lasted now for a considerable number of years, during most of which the right hon. Gentleman was a leading Minister of the Crown, and yet he never said that in consequence of that emigration the state of Ireland was critical. And I know that now when I have the honour to be a Minister of the Crown, and view still with anxiety the emigration from that country—though I have the satisfaction of seeing that it is reduced—the right hon. Gentleman says this also is an element in the crisis of Ireland. Well, then, how am I to understand that the second element of the crisis is one which can really be advanced as an argument in favour of a great revolution? Then, Sir, another element of the right hon. Gentleman was education. The people of Ireland were so educated that you must destroy the Irish Church. Well, the people of Ireland have been educated a great number of years, thank God! and I wish the people of England had been educated as well during that period. I am not aware that the education of the Irish people during the two short years we have sat upon this Bench has created the Irish crisis. I believe that the education of the Irish people has been very advantageous to them; and I am not aware that I have been one of the Members of this House who have done anything to restrict that education. As for the fourth cause of the crisis, I should have thought that having passed a Reform Bill last year, that was a reason why we should have lost no time in passing a Reform Bill for Ireland. Instead of doing that we are to acknowledge a crisis. I say, under these circumstances, I was certainly justified in utterly repudiating the principle upon which the whole policy of the right hon. Gentleman is founded—namely, that there is a crisis in Ireland; but the hon. Member for Birmingham (Mr. Bright) is not justified in saying, from my adoption of that argument, that I assert that the state of Ireland is perfectly satisfactory, that nothing need be done, and that the whole agitation is a delusion. As I cannot admit that there is a crisis in Ireland, according to the views of the right hon. Gentleman the Member for South Lancashire, I will state my view of the condition of Ireland. I do not think there is an Irish crisis; but if there be one, it is not occasioned by any of the causes mentioned by the right hon. Gentleman. But I say, and I have said it very often, that the condition of Ireland is, on the whole, not entirely satisfactory. The general proposition the right hon. Gentleman has placed before us is the foundation of what I look upon as a great change, and I may say a revolution in our policy; and the circumstances on which he based it ranged over 700 years. The premises from which the right hon. Gentleman drew his deductions were 700 years. Well, how can we, when a great statesman comes forward on a sudden, like a thief in the night, and recommends a course so vast and violent that as yet we have got as it were only into the antechamber of the great discussion it will involve—I say when the right hon. Gentleman brings forward such vast premises, and draws his conclusions from them, what can we do, in the first instance, at least, but take general views? If a man tells me that my country is in a critical state, in consequence of the misgovernment of 700 years, as a sensible and prudent man I must take general views; but I form those general views within a limited range. I do not take for comparison the state of Ireland and its people when they were under the tender mercies of Fitz-Stephen's knights, or of those other ancient, historical characters, whom I may have to touch upon, with the permission of the right hon. Member for Calne; but I take a more limited and practical view. Is the condition of the Irish people now worse than it was before the Union? So far as my researches inform me, I find the people of Ireland are in a much better position. They are in the enjoyment of social and political rights they did not then possess; they are better fed, better clothed, and better paid than they were. So much for the working population. The middle class are more wealthy, and more enterprizing; and the landlords, upon whom such attacks are made, have an advantage which English landlords do not always have—they get their rents paid. Is the condition of Ireland worse at this moment, when we are called upon precipitately to take this serious step, than it was during the revolutionary war? Were the people, then, better clothed and better fed? Were their wages higher or as high? We know they were not. Take the time when the tithe-proctors were fighting the people. Was the condition of Ireland then to be at all compared with its condition now? Is it not an absolute fact that the population of all classes in Ireland at this moment are more prosperous, wealthier, in the enjoyment of political and social rights which their ancestors and predecessors did not enjoy fifty years ago? Is it not true that the working population are at this moment in the enjoyment of a higher rate of wages, and consequently in a higher state of social enjoyment, than at any previous period of their history? Well, Sir, that has been urged — it has never been answered. The Chief Secretary of the Lord Lieutenant, in a statement full of accurate information and weighty argument, placed that before the House, and not a single Gentleman opposite, for a moment, impugned the accuracy of his facts, or the soundness of his conclusions. Well, how are we met? A statesman who, in this position of affairs, makes the enormous sacrifice of all the convictions of his life, tells us that the state of Ireland is so critical that he must do that which, only three years ago, when mentioned, struck him with such inexpressible horror, he said the question was without the pale of political debate. I want to know on what ground he does this. The candid ingenuity of several Gentlemen opposite gives us the ground—the evils of Ireland. We have proved that the country is richer, the people more prosperous, the landlords have their rents, the middle class are perpetually engaging in speculation and shares, and the working population have doubled their wages. Since that has been proved and acknowledged even, by hon. Gentlemen opposite, because it could no longer be denied, the whole thing, this wide-spread discontent, this constant disaffection, and the perilous position of the Church in Ireland, is explained by the fact, the recent discovery, that the evils of Ireland are not material evils—that they are moral evils, that they are sentimental evils. We are called upon now to argue the question not as, in recent times, when we had to discuss the political and material condition of Ireland, but we are asked to take a vast and violent step, because the people of Ireland are suffering under a moral, or, as it has been styled, a sentimental grievance. Well, Sir, I am not the man to despise a sentimental grievance. I think he takes a very contracted view of life and of human nature who despises the sentimental grievances of a nation; but when we have to deal with sentimental grievances, and when, in consequence of sentimental grievances, we are asked to make very material changes, I think every candid mind will agree that we ought to proceed with caution. Though we may be ready to make great sacrifices to soothe the pride and gratify the feeling of race, still to take some precipitate step and fail in accomplishing our desire would be disastrous to the State and humiliating to the statesman. Now, what are those sentimental grievances of the Irish people? I am not conscious that I have ever been deficient in sympathy for the Irish people. They have engaging qualities, which I think every man who has any heart must regard. But I must say nothing surprises me more than the general conduct of the Irish people on this subject of sentimental grievances. They are a race who are certainly among the bravest of the brave, most ingenious, witty, very imaginative, and therefore very sanguine; but for them to go about the world announcing that they are a conquered race does appear to me the most extraordinary thing in the world. Every one of us, nations and individuals, are said to have a skeleton in the house. I do not say that I have not one—I hope I have not. But if I had I would turn the key upon him. But for the Irish ostentatiously to declare that they are a conquered race is very strange. If they really are a conquered race, they are not the people who ought to announce it. It is the conquerors from whom we should learn the fact; for it is not the conquered who should go about the world and announce their shame and humiliation. But I entirely deny that the Irish are a conquered race. I deny that they are more a conquered race than the people of any other nation. Therefore, I cannot see that there is any real ground for the doleful tone in which they complain that they are the most disgraced of men, and make that the foundation for the most unreasonable requests. Ireland is not one whit more conquered than England. They are always telling us that the Normans conquered Ireland. Well, I have heard that the Normans conquered England too, and the only difference between the two conquests is that, while the conquest of Ireland by the Normans was only partial that of England was complete. But then they tell us that was a long time ago, but since then there was that dreadful conquest by Cromwell, when Cromwell not only conquered the people but confiscated their estates. But Cromwell conquered England. He conquered the House of Commons. He ordered "that bauble" to be taken away, in consequence of which an hon. Member, I believe of very advanced Liberal opinions, the other night proposed that we should raise a statue to his memory. But Cromwell not only conquered us, but he forfeited and sequestrated estates in every county in England. Well, Sir, then we are told that the Dutch conquered Ireland, but, unfortunately, they conquered England too. They marched from Devonshire to London through the midst of a sullen population. But at least this must be said for the Irish they fought like gentlemen for their Sovereign; there is no disgrace in the battle of the Boyne, nor does any shame attach to the sword of Sarsfield. I wish I could say as much for the conduct of the English leaders at that time. Therefore, the habit of the Irish coming forward on all occasions to say that they are a conquered race, and, in consequence of their being a conquered race, they must destroy the English institutions, is a most monstrous thing. Then we are told that the Church in Ireland is a badge of this conquest. Well, Sir, I will not go into the question as to the origin of the Irish Church. I hope that nothing shall induce me to enter into a controversy as to whether St. Patrick was a Protestant or not. But I ask this plain question from this conquered race—who attain an eminent position in every country where wars are successful—why is the Church of Ireland more a badge of conquest to the Roman Catholics of that country than the Church of England is to the Dissenters? There is this difference, that, according to their own story, countless generations almost have elapsed since the Roman Catholics were in possession of these churches in Ireland, while in England there was a great change within comparatively modern times; the fact being that one may meet almost any day in England the descendants of some one or other of the ejected ministers; but we never meet a burly Nonconformist who tells us that he is a member of a conquered race, and that he regards the Church of England as a badge of conquest. The Dissenter disapproves of the Church, and he hopes some day to terminate its existence as an Establishment, but he considers himself to be on perfectly equal terms. As far as their relation to the Church Establishment is concerned, what difference is there between the Roman Catholics of Ireland and the Nonconformists of this country, who are among the most wealthy, influential, and intelligent of Her Majesty's subjects, scores of whom, moreover, occupy seats in this House at the present moment? If there is any difference, the feelings of the English Dissenter ought to be more bitter than those of the Roman Catholic. That is, therefore, another point—namely, so far as sentimental grievances are concerned, of which I really do hope we shall hear no more.

Now, Sir, I come to a more practical part of the question. [*Cheers.*] I understand that cheer. But we shall never come to a solution of any of these questions unless we first arrive at clear ideas of what we mean. You wish to convey in that cheer that I have been speaking on subjects not germane to the question in hand. My answer is that it is impossible for anyone to grapple with the real points before us unless we clear the atmosphere of these nebulous illusions. Unless we get rid of "conquered races," of "badges of conquest," and things of that kind we cannot realize what it is we have to do. We must be very cautious in respect to the great question now before the House and the country when we find it started by a man so eminent as the right hon. Member for South Lancashire on premises so utterly and absurdly fallacious. I say that it is not right to disestablish the Irish Church; and of this I am quite certain that it never can be right to argue that question on an assumed and fallacious crisis, which any man who has any knowledge of life knows has no existence. I have brought the discussion to this point, and I want now to ask the House to consider how we who sit on this Bench have dealt with those grievances of Ireland on which I have touched. I say that during the period when I have had any lead in public life—now, I am sorry to say more than twenty years ago—I have acted conscientiously on one principle alone, and there has not been a Gentleman on this Bench, or on the opposite Bench, when we were Opposition, but gave me on that point unswerving and complete sympathy and adhesion. In what I recommended to be done I had the sanction and support of all my Colleagues now in the present Cabinet, of all who sat in a responsible position on the Bench opposite, and, I can say, even the sanction of the noble Viscount the Member for Stamford (Viscount Cranborne). What was the policy we pursued with respect to Ireland? Our policy was one of conciliation. Most of us entered public life when there had been the fiercest acrimony between Irish parties. Some hon. Gentleman now sitting in this House can hardly realize the sentiments then entertained towards one another by Irish Members of different religions, and English Members of different parties who sympathized with their co-religionists. But about twenty-five years ago English statesmen had arrived at a conclusion, advantageous both for England and Ireland, that we should have a policy of conciliation, and that we should endeavour, as far as we could, to remove anomalies, soften asperities, and encourage between the two religions and races a more living and direct sympathy. The principles of our policy were, first, in Ireland to create and not to destroy; and, secondly, to acknowledge that you could not strengthen the Protestant interest in any more effectual way than by doing justice to the Roman Catholics. On those principles we acted. The right hon. and gallant Gentleman the Member for Huntingdon (General Peel) in a speech which he made last night, and which the House heard with that interest with which it always welcomes the observations of the right hon. Gentleman, alluded with pride, and with justifiable pride, to what he had done with regard to the appointment of Roman Catholic chaplains in the army. The right hon. and gallant Gentleman, though he took that course spontaneously, did so entirely with the sympathy of his Colleagues. The House will remember that much discussion occurred on a recent occasion respecting the appointment of Roman Catholic chaplains in gaols. That measure was not proposed by us, but the Government of that day were in great stress concerning it; and we supported them although they were opposed by many of their own party, and although many on this side of the House disapproved the course they took. We, however, were convinced that course was based on right principles, and it would not have been adopted but for our assistance, to which a speech of unrivalled power by the right hon. Member for Oxfordshire (Mr. Henley) largely contributed. On a subsequent occasion we had before us the oath to be taken by the Roman Catholics. I have seldom considered a question which occasioned me more anxiety and pain; but it was brought to a satisfactory conclusion greatly by the influence of hon. Gentlemen on these Benches; and the oath which was ultimately adopted, with slight variations, by Parliament was drawn by the present Lord Chancellor of England, who, I believe was never suspected of being false to the principles of Protestantism. Through all these endeavours to carry out a policy of conciliation I have invariably been supported by my right hon. Friend the Secretary of State for the Home Department. In the same spirit we have brought forward a proposition to grant a charter to a Roman Catholic University. I need not comment upon the "zigzag" criticisms of the right hon. Member for Calne; but I understand our proposal has been commented upon during my absence this evening. Sir, I believe that proposal was perfectly consistent with the principle we have laid down that in Ireland the wise policy is to create and not to destroy, and to strengthen Protestant institutions by being just to the Roman Catholics. Sir, I believe the proposal to grant a charter to a Roman Catholic University was conceived entirely in that spirit. Hon. Gentlemen opposite say "Take hold of Trinity College; appropriate its property, destroy its constitution, tear its charters to shreds: that is the way to conciliate the people, that is the way to reconcile parties and creeds in Ireland." But that is not the policy which I and my Colleagues conceived. We have determined to create and never to destroy in Ireland. There has been too much destruction, I say; therefore, we shall maintain all we have said in supporting our proposition for a charter. I do not wish to conceal that it is one which I believe responds to the legitimate demands of the Roman Catholics. It will, at the same time, maintain that great University of Dublin, which is one of the greatest Universities in the country. No one will question for one moment but that there is a want of educational means for the higher classes of the Roman Catholic population in Ireland, though people may differ as to the way by which it should be satisfied. I say it is wise to satisfy that want by a mode which creates and does not destroy. That is in accordance with our uniform policy, and in conformity also with the policy which hon. Gentlemen opposite have hitherto pursued with the same integrity of purpose and sincerity of feeling as we believe we are able to claim for ourselves. And why have hon. Gentlemen opposite pursued this policy with us? Because the experience of the past has taught us that it was wise to do that which would of all things tend to effect a reconciliation between creeds and classes, and put an end to the unsatisfactory state of feeling in Ireland. We have been subjected to the usual taunts; nothing is so easy as to say that we do this thing to gain the Catholic vote, that we do another to obtain a majority or maintain a position. But whether in Office or in Opposition it has been the same; and these taunts pass by us without the slightest effect upon our course. The same taunts, indeed have been levelled at our opponents, but never by me. Well, let us look at this policy as applied to the Church in Ireland, which is the question before us. We have attempted to conciliate creeds. We have endeavoured to bring about a state of society by which every man in Ireland should feel that he was in a position of the same equality as he would enjoy in England. Whether the measures were proposed and passed by us or by our opponents, I do not think that policy has hitherto been unsuccessful. There has been a difference in the tone even of the Members of this House as compared with what it was a quarter of a century ago. Out of this House there has been a very great change. But what is the policy of the right hon. Gentleman? He comes forward to propose a change which will at once outrage the feelings, and touch in their dearest sentiments and interests a large and very influential portion of the population of Ireland. Year after year we have in this House endeavoured to secure to the Roman Catholics, and especially to the Roman Catholics of Ireland, the full and free exercise of their religion. There is not a Gentleman opposite, however he may vote, who does not in his heart know that is true. I am not referring to a Session, I am not referring to a Parliament; but I am referring to the long, and patient, and continuous policy which we have pursued even under the unfavourable circumstances and discouragements of Opposition — the policy that the Roman Catholics should have a full and free exercise of their religion; and although it entailed upon us much prejudice and misapprehension among friends whom we respected and regarded, we were firm to that policy, because we believed it to be right and wise, and that it would lead to that general sympathy and conciliation to which I have adverted. But what does the right hon. Gentleman propose? Have the Protestants of Ireland no interest in their faith? Have they no regard for their Church? Has their history not identified them with that institution? Have the Protestants of Ireland no sentimental feelings which are to be regarded? And what are we to think of the statesman who, having, as I suppose, sanctioned the policy which I have indicated, comes forward at this moment to introduce to us not merely a measure but a policy which must restore all the acrimony of which we had hoped to get rid—which must revive all those inveterate and rancorous feelings which we have sought to eradicate — which places all classes and creeds in an adverse position, and renders that country again the scene of every hostile passion, of every sentiment which is opposed to that political tranquillity which all great statesmen have striven to produce? Now, I say with regard to the Church in Ireland, that if this policy of conciliation had been pursued, I cannot doubt that we might have come to conclusions which would have greatly facilitated the objects that we wished to accomplish. The reform in the Irish Church, which took place in the year 1833, was effected by the Earl of Derby. It has been criticized of late years as a measure the arrangements of which were deficient in completeness. But in my mind it was a measure which showed the vigour and determination of a real statesman. When we consider the state of affairs at that time as regards the Church in Ireland with which Lord Derby had to deal, I think we must admire the determination and the grasp of his conception. But there is no doubt that some forty years have elapsed since that period, and those forty years have brought not only with reference to the Church in Ireland but to the Church in England and many other institutions, very instructive results. Sir, the right hon. Gentleman the Member for Calne the other night—I just mention this in passing—said there was an inconsistency—that was the gravest charge which he brought against my noble Friend—an inconsistency between my noble Friend's Amendment and his speech, because my noble Friend stated that he was ready to alter, or was prepared to consider the alteration of, the status of the Church in Ireland. I was informed to-day by a Friend that when Lord Derby proposed his great change for the reformation of the Church of Ireland it was opposed, because it was said he had altered the status of the Church in Ireland. But now we know better than they did forty years ago. We know that Lord Derby never in that sense altered the status of the Church. The Church, as an Established Church, was not at all affected by the legislation of Lord Derby; and, therefore, the right hon. Gentleman (Mr. Lowe) will just remember that the use of the word status may be such as he might not adopt. I myself said the other night, as I say now, that I think you might elevate the status of the unendowed clergy of Ireland. But I do not mean by elevating their status that revolution in their position which the right hon. Gentleman chooses to fix upon my noble Friend. My opinion is that if this system of conciliation, founded on the principle that in Ireland you ought to create and not to destroy, had been pursued, you might have elevated the Irish Church greatly to its advantage. You might have rendered it infinitely more useful—you might have removed circumstances which are not favourable to its reputation; and, at the same time, I do not think it impossible that you might have introduced measures which would have elevated the status of the unendowed clergy of Ireland, and so softened and terminated those feelings of inequality which now exist, so that you might have had the same equality in the State in Ireland which you have in England. There is perfect equality in the state of the Dissenter in England, although his is not an Established Church. That state of things might exist in Ireland if you had taken measures which would, among a sensitive people, have prevented a sentiment of humiliation. Saying thus much, allow me to add that the policy recommended by the right hon. Gentleman the Member for South Lancashire involves issues in my mind much more important than the government of Ireland. And I would ask the House for a moment to consider what would be the effect of the proposal of the right hon. Gentleman upon the property of the country? Now, I am not going to impress upon the House the importance of respecting a prescriptive title of 300 years. I recognize fully that there is a difference, so far as the State is concerned, between public and private property. But the various shades between them, although they are numerous, blend, and dangerously blend; and it is of much importance that when you deal even with public property you should deal with it in a manner so thoughtful, so learned, and so wise that you should not endanger the principle of private property. All that I pass aside, and I leave it to Gentlemen on both sides well to weigh what may be the consequences of interfering with a prescriptive title of 300 years. What effect it may have on the estates of the great City companies I stop not to inquire. What effect the principle by which it is recommended in Ireland may have even upon the estates of private individuals whose property has arisen from the plunder of the Church I stop not to ask. I believe there are abbeys in Ireland, and there are many in England, that are no longer enjoyed by abbots. I do not dwell upon these things. I remind the House on the general consideration not to forget them. I view with great jealousy the plunder of a Church; because, so far as history can guide me, I have never found that Churches are plundered except to establish or enrich oligarchies; and although it may be a very Liberal movement to attack an ecclesiastical institution, I have never found that the consequences were in favour of liberty or enlightened feeling. But what I want to impress upon the House is this—that there is a new view of the case with regard to the question of property in the course adopted by the right hon. Gentleman. The principle of property is contested in the age in which we live. I am not alarmed by that, because I think the principle of property may be established on the strongest and soundest arguments that the human intellect can conceive. But we cannot shut our eyes to what the hon. Member for Birmingham calls "the spirit of the age," and which entirely influences him in the advice which he gives to the right hon. Gentleman the Member for South Lancashire. In the present day the principle of property, even of private property, has been contested, and Ireland, unfortunately, is not an exception to the countries in which that political dogma has been promulgated. Observe what the proposition of the right hon.

Gentleman involves. I can understand a man, for example, taking up this position —"Three hundred years ago the Churches of Ireland were ministered by priests of the Roman Catholic faith, and were filled by communicants of the Roman Catholic creed. You ejected our ministers 300 years ago; you expelled our congregations and drove them to a distant part of the island —now our opportunity is come, the hour and the man have both arrived; now we will regain what we have lost, and the Protestant populations and the Protestant ministers shall leave the churches." That, undoubtedly, would be a violation of property, the prescription of the Protestant population of three centuries' duration would be violated; and to that degree the principle of property would be outraged. But, then, the principle of property would be vindicated in a much higher degree by the principle of restitution, and so it might be contended that there was no violation of property at all. These persons might say, "We are only restoring property to the original owners, and we announce it as a principle so sacred that even 300 years of abuse shall not prevent us from acknowledging its sacredness." But the right hon. Gentleman does nothing of the kind. He goes to the Church of Ireland, he takes all its property, and he does not tell us what he is going to do with it. There is no restitution to palliate or excuse the proceeding; it is sheer confiscation. And, therefore, I say that the principle proposed for your sanction in this scheme, by which the right hon. Gentleman can pounce upon all the property of the Church in Ireland, and not tell you what he is going to do with it, is an outrage and a violation of the principle of property, than which nothing greater or more enormous can be conceived. In a parenthesis the right hon. Gentleman told us that the property would be preserved and only used for Irish purposes. Well, as was truly said by my right hon. Friend, what are those Irish purposes? Reduction of the duties upon whisky would be an Irish purpose; is that what he means? I hope the House of Commons will not consent to move in the dark on such an important subject as this. I say that the proposition of the right hon. Gentleman as explained in his speech does involve an attack on the principle of property, which never yet has been—I will not say mooted in Parliament, but which has scarcely found a place in the speculations of the most abstract philosophers. For, although there have been propositions before now to attack the property of national institutions, no proposition of this kind has ever been made by a Minister of the Crown, or one standing in the responsible position of Leader of the Opposition; no one has ever yet attempted to attack the public property of this country, who has not at the same time indicated to the country with what intention he lays hands upon the property which he was thus appropriating. Knowing what we all know, that the plunder of Churches, which are the property of the people, has never yet produced anything for the people, I say that we ought to look carefully at this proposition, which leaves us entirely in the dark. I say we ought to look with the greatest jealousy on such a proposition. I cannot under any circumstances—whatever you may do with the property of the Church of Ireland, which I hope we shall succeed in preventing your touching at all—I cannot under any circumstances agree that it should be appropriated to what in Liberal language is called a secular purpose. A "secular purpose" is always a job. Church property is the property of the people, set apart for a specific purpose—namely, their spiritual instruction. There is a great lack of funds for spiritual instruction. The religious education of the people has been much neglected in this country, owing to the great plunder of the Church, and the plunder of the Church has invariably been the appropriation of public property to private individuals. I trust, therefore, that we shall hear no more of that.

There is another subject to which before I sit down I must call the serious consideration of the House. I feel that I have unfortunately somewhat trespassed upon their attention; but the House is generous, and it feels that this is an occasion on which it is scarcely an intrusion on my part to crave their indulgence. I have to place before them one of the greatest issues ever offered to their consideration, and that somewhat suddenly. The conflict has come upon us when we little expected it, and it is necessary that the House and the country should understand what they have to decide. The right hon. Gentleman who preceded me (Mr. Cardwell) was nervously alive upon that subject. He said, "We must have a clear and intelligible issue before the country." Well, so far as I am concerned, the issue shall be clear and intelligible. I have touched upon this question with regard to Ireland by itself, and I have shown how completely contrary to the policy which the wisest statesmen have pursued, even at great personal sacrifice, for a quarter of a century is the policy suddenly recommended to us by the right hon. Gentleman the Member for South Lancashire. No more conciliation; no more hope of reconciling creeds and classes; no more hope, by prudent arrangement, of securing in a country of anomalies, no doubt, and full of historical difficulties, what I thought we were arriving at, by achieving that equality in the State which the subjects of the Queen enjoy in England. All that is past. The great philosophers and physicians of the State are of opinion that such equality can only be accomplished by outraging the dearest feelings and invading the interests of a population not inconsiderable, very influential, and the most important portion of the Irish people. The policy of conciliation, sanctioned by Peel, supported with admirable eloquence by Graham, from which Palmerston did not recoil, to which Lord Russell gave his adhesion, and in which I once thought the right hon. Gentleman opposite would have worked with me—it is gone. For Protestant ascendancy, which really no longer existed, is to be substituted, I suppose, Papal supremacy. All that we have attempted for years to accomplish is to be obliterated, and Ireland is still to be the scene of faction—is still to be the difficulty of England. That is what you are bringing about at a moment when we seemed on the verge of accomplishing what for a quarter of a century we have been labouring for. I have asked the House to consider the altered circumstances of the case, and I have begged the House to reflect for a moment on what might be the influence on property of the policy recommended by the right hon. Gentleman. I now come to another and more important ulterior consequence. If that policy is carried into effect, the connection between the State and the Church in Ireland ceases; the Government of Ireland is divorced from the principle of religion, which hitherto has been acknowledged as a part of our national policy. Now, what is meant by the union between Church and State? In this crisis, I say, it is of great importance that we should fully understand what we mean by a connection between Church and State. I will give my version of it. I understand by it that authority is to be not merely political; that Government is to be not merely an affair of force, but is to recognize its responsibility to the Divine Power. Sir, we have discarded the divine right of Kings, and properly discarded it, because the divine right of Kings led to the abuse of supernatural power by individuals; but an intelligent age will never discard the divine right of Government. If Government is not divine, it is nothing. It is a mere affair of the police-office, of the tax-gatherer, of the guard-room. Now, Sir, any man who has had any experience of affairs knows this—that every year Government becomes more difficult. It is its connection with the religious principle—it is not the guard-room, it is not the police-office, it is not the tax-gatherer—which enables it to rule the nation. You must educate the people; you must reform the criminal; you must establish asylums to meet all the wants of injured and suffering society. These are the duties of Government. In their performance, the Government is perpetually applied to, is perpetually called upon, and how are we to perform those offices unless we are in connection with religious bodies? It is the principle of religion which makes a Government sensible and conscious that it has to perform these duties, and, having to perform these duties, it requires an agency by which it can accomplish them. I am totally at a loss to see how we can connect Government with religion except by an Establishment. One of the things which the right hon. Gentleman who preceded me wanted was an intelligible issue. I give him a clear and intelligible issue. I want to know how we can connect the Government with religion except by an Establishment. It is very true that, in a country like England, where we have the advantage of complete toleration, we may have an Establishment which is not the Church that represents the entire majority of the country: but we cannot judge of the influence of an Established Church by the mere influence of its ministers or by the number of those in communion with it. We must recollect the influence which the existence of such an Establishment has on those who are not communicants with that Church. The great sectarian parties of this country, so full of learning and spirit, so highly disciplined and organized—what would they have been without the Church of England, the archetype which produced that great competition of charity which is the characteristic of the age and the century in which we live? Well, if you admit this principle you ought to hesitate very much as to the course you are taking. What are you doing as regards Ireland? Are you prepared to say that the Government in Ireland shall be a Government disconnected from the principle of religion! Are you prepared to say that? If you are not prepared to say that, how is Government in Ireland to be connected with the principle of religion? Tell me that. Will you endow the Presbyterian Church in Ireland? Why, all the objections which you allege against the Anglican Church will equally apply to the Presbyterian Church. Its population is not more considerable. Well, will you connect with the State the Roman Church? ["No!"] You say "No!" We know there are some persons who say "Yes!" But you are right in saying "No." There is no doubt it is utterly impracticable. The United Kingdom is a Protestant kingdom. The people of the United Kingdom are a Protestant people. They defend and cherish a Protestant Throne; and any attempt in Ireland to establish a Roman Church in connection with the State is a dream which no practical man would allow himself to indulge in. Well, if you cannot establish the Kirk, if you cannot establish the Church of Rome, then, if you are going to destroy the Protestant Episcopal Church, you come to this point—you will have a Government in Ireland that is not connected with the religious principle. This appears to me to be a logical consequence; and, at this moment, if you believe with me that the union between Church and State is a great security for civilization and for religious liberty ["No!"] I say if you agree with me in this —I am only trying to do as the right hon. Member for Oxford (Mr. Cardwell) asked, to arrive at a clear and intelligible issue—you must acknowledge that there is no possible means by which you can maintain that union but by maintaining the Church in Ireland. Reform or modify her if you will, make her more efficient if you can, but unless you are prepared to give up the connection between Church and State, which is the connection of authority tempered by the civilizing power of religion, you must maintain the Church. You cannot stir from that position; you must accept one of these two alternatives. Sir,—in connection with the point—comments were made in the course of this varied debate, by, as I understand, the hon. and learned Member for Exeter (Mr. Coleridge) to-night, by the right hon. Gentleman the Member for Calne, and by the right hon. Member for the City of London (Mr. Goschen) who sits opposite me, to a letter which I wrote, and to which I will draw the attention of the House, if it will permit me. The right hon. Member for the City of London said I wrote a letter to the clergy, telling them that the Church was in danger; they have all preached in consequence, and this has produced a considerable effect. Now, there was a letter written once by a Prime Minister to a clergyman. He did not say the Church was in danger. The letter was written to the Dean of Durham, and it called out "No Popery." I think that must have misled the right hon. Gentleman. My letter was not written to a clergyman, but to a layman. It was not sent to *The Times* newspaper, as the right hon. Member for Calne said, nor to any other newspaper.

MR. LOWE: The Member for Calne never said so.

MR. DISRAELI: The right hon. Member for Calne said it was sent to *The Times*, and that he read it in *The Times.*

MR. LOWE: I said it appeared in *The Times.* I never said that the right hon. Gentleman sent it to *The Times.*

MR. DISRAELI: No; you only said that it appeared there the same morning as the Amendment of my noble Friend.

MR. LOWE: I did not say that. On the contrary, I said it appeared the morning before the Amendment appeared.

MR. DISRAELI: You mis-dated the letter, you mis-quoted the letter, and you misconceived the letter. I am now speaking upon the connection between Church and State. That letter exactly expresses the feelings which influence me at this moment; and when the right hon. Gentleman the Member for Calne says that I wrote a letter trying to excite the Protestant feelings of the country, let the letter be judged by what it contains, and by nothing more. What was said by the right hon. Gentleman was totally inconsistent with what was said by the hon. and learned Member for Exeter respecting this letter. There is nothing about Protestant feeling in it; and with regard to the right hon. Member for the City, who says I wrote a letter declaring that the Church was in danger—the City churches may be in danger—but he totally misunderstood what I wrote. I did not say that the Church was in danger. I said the State was in danger. Terminate the connection between the State and the Church;

divorce authority from the religious principle; you will find the State in danger, not the Church, when it thus loses the high sanction and the high influences which animate a nation. I ask again, is it or is not true that if the policy of the right hon. Gentleman is adopted you terminate the connection in Ireland between Government and the Church? Is it or is it not true? Let us have a clear answer to that. [*Opposition Cheers.*] You admit it. Can you resist the consequences of your admission. [*Cries of* "Hear, hear!" *from the Opposition.*] Your "Hear, hear!" will some day be remembered by yourselves with astonishment and perhaps remorse. There is more in that "Hear, hear!" than you, or than England conceives. You will terminate the connection between Church and State in Ireland;—why should you stop there? If the "hear-hearers" are to have their way, I can completely understand the policy that is brought before us. But what I want is that the House of Commons and England should understand what is the clear and intelligible issue the right hon. Gentleman the Member for Oxford is so anxious to ascertain. Well, if you adopt the principle of separation between Church and State in Ireland, there is no reason why you should not adopt it in Scotland. [Mr. CRAUFURD: Hear, hear!] I like to hear that cheer. There is nothing that advances discussion more than the spontaneous sympathy of hon. Gentlemen opposite. The Church of Scotland has in its communion only a minority of the people; and I want to know upon what principle you can maintain the Kirk in Scotland if you do not maintain the Church in Ireland; Well, then, it is admitted that the majority not being within the pale of the Scottish Kirk, Scotland also may follow the policy of the right hon. Member for South Lancashire. Why stop at Scotland? Are you prepared for the ulterior consequences of this policy? That is what I want to have thoroughly understood by the people of this country. Let there be, as the right hon. Member for Oxford says, "a clear and intelligible issue." Well, the Church falls in Ireland, it falls in Scotland; but it is never to fall in England, because the right hon. Gentleman says there are millions upon millions of Churchmen in England. That is rhetoric, it is not reason. Why, the hon. Member for Birmingham, that great master of the mind of the right hon. Member for South Lancashire—we have heard of "educating," why he, too, can educate—that hon. Gentleman will take the Census Returns, and with that analysis which his shrewd intellect is so well able to regulate and control he will prove that it is a very clear conclusion from the statistical documents in his hand that the union between Church and State—that union between authority and religion which has humanized authority, civilized this country, and secured to us civil and religious liberty — cannot be maintained. I am sure that hon. Members will not object to my stating at some length my opinion upon this subject. The question is only now at its commencement. Years will elapse before it is decided. It is very easy for the right hon. Gentleman to propose Resolutions; but he must allow us to try, especially as I was challenged on the subject to-night, that a clear issue should be put before the people of England. Now let us look at the case of England. Here I have a letter written to me by a dignitary of the Welsh Church, a proctor in Convocation, one who I think must be a respectable and cultivated gentlemen, because he is a friend of the right hon. Member for South Lancashire. He has been a great supporter of the right hon. Gentleman at Oxford and in a county with which he is intimately connected, and, though in a state of great distress on account of the state of affairs, he still regards the right hon. Gentleman with feelings of affection. In this communication he begs to call my attention to the immediate effects of the policy of that distinguished statesman, whom he still regards with feelings of personal affection. He begs to call my attention to a Welsh Reform meeting—[*Cries of* "Where?"]—held in Hope Hall, Liverpool, attended by delegates from twenty-two places. ["Oh, oh!" *and a laugh.*] Oh! I assure you it was a real meeting. It was a Liberal meeting—perhaps on that account the hon. Gentleman opposite doubts whether it could be a real one—and it was numerously attended. The writer of the letter is a dignitary of the Welsh Church, a most respectable man, an M.A. ["Name!"] The right hon. Gentleman may have the name; but in discussion we have agreed not to give the name of every gentleman who sends us information. The meeting was called in consequence of the new policy, and the chairman, Mr. Owen Williams, in the course of his speech, maintains that the Welsh have a grievance to be redressed almost as great as this of the Irish Church.

"It was absolutely necessary," he said—

> "That they should step aside and form a solid front. They had a Church question to deal with as well as the Irish people; and he did not see why Wales should be contented any longer to carry the burden put upon her. The Welsh had their Church question also; and it would be impossible for" myself, "Mr. Gladstone, or Mr. Bright to settle the Irish Church question without feeling at the same time that the present state of things in Wales could no longer exist."

He ends in this way—"The Welsh had also to deal with a land question." This shows the progress of the public mind—

> "It was almost impossible to obtain freehold land in Wales, where the population had doubled itself during the last thirty years. He could see no justice in that state of things. He could not see why the great landowners should become the possessors of all the improvements effected by commerce, industry, and skill."

At the close of an excellent speech, the chairman intimated it was probable the next meeting would be addressed by the right hon. Member for South Lancashire. This was the letter sent to me. I will not pass it over to the right hon. Gentleman because he had one handed to him the other evening, and he will not desire another. I have quoted it to show you the consequences of the new policy. Whether the policy is right or wrong is another question; but do not let the House misconceive the crisis which has arrived. Well, then, we come to the question of England. I believe in Wales there are very few benefices in which there is a majority of Churchmen; and I ask the House, on what principle can you refuse to apply to Scotland and to Wales the same principle you are applying to Ireland? I ask you, how can you meet the question of England? Let not hon. Members around me say there are millions and millions in England who are members of the Established Church. That does not answer the stern conclusion from the Census Returns—namely, that in England the majority of the people are not members of the Church. Well, then, are you prepared to say, notwithstanding that, that the civil authority shall not be divorced from religion? I know very well the difficulties we have to contend with now. I know very well what are the powers that are now, and have been for some time, meeting together and joining to produce the consequences which some anticipate, and which I hope may yet be defeated. No man can have watched what has taken place in this country during the last ten years without being prepared, if he be of a thoughtful mind, for the crisis of this country. I repeat the expression that I used in my letter to my Lord Dartmouth, that the crisis of England is now fast arriving. High Church Ritualists and the Irish followers of the Pope have been long in secret combination, and are now in open confederacy. [*Laughter.*] Yes, but it is a fact. It is confessed by those who attempted to prevent this combination, to mitigate the occurrence, to avoid the conjuncture which we always felt would be most dangerous to the country. They have combined to destroy that great blessing of conciliation which both parties in the State for the last quarter of a century have laboured to effect. I am perfectly aware of the great difficulties that we have to encounter. I know the almost superhuman power of this combination. They have their hand almost upon the realm of England. Under the guise of Liberalism, under the pretence of legislating in the spirit of the age, they are, as they think, about to seize upon the supreme authority of the realm. But this I can say, that so long as, by the favour of the Queen, I stand here, I will oppose to the utmost of my ability the attempt they are making. I believe the policy of the right hon. Gentleman who is their representative, if successful, will change the character of this country. It will deprive the subjects of Her Majesty of some of their most precious privileges, and it will dangerously touch even the tenure of the Crown.

**Mr. GLADSTONE**: Mr. Speaker, I cannot help, Sir, making the observation—and I trust it is one at least as much within the bounds of Parliamentary courtesy as some to which we have recently listened—that there are portions of the discursive speech of the right hon. Gentleman of which, with every effort on my part, I fail to discern the relevancy; and that there are other portions of it of which it does not seem to me a severe judgment to say that they appear to be due to the influence of a heated imagination. Sir, I can assure the House that, at this hour of the morning, I shall endeavour to confine myself to the main issue, and shall dismiss with a very few words of observation subjects that in the treatment of the right hon. Gentleman occupied a considerable time. His elaborate justification of the Motion of the noble Lord by reference to precedents, I think, does not call for detailed reply, inasmuch as he was mistaken in all the references that he made. He said it was intolerable to meet a Motion on the Irish Church by the Previous Question, but he forgets that he met it so himself last year. And when he said it had been met in that manner on the part of his predecessors he forgot that, on the three successive occasions on which, during the Government of Lord Palmerston, the Irish Church ques- was advanced it was met by that Government concurring in the precept of the right hon. Gentleman, but avoiding his practice—by the direct negative which he seeks to avoid. I will not enter either into the elaborate personal invective delivered by the right hon. Gentleman against the noble Lord (Viscount Cranborne) and against the right hon. Gentleman the Member for Calne. The right hon. Gentleman says that his pacific character is well established, and that he never in his life attacked a man by whom he had not been attacked before. Sir, I leave these observations of the right hon. Gentleman to speak for themselves, and I do not for one moment envy him whatever benefit he can derive from them. Then, Sir, the right hon. Gentleman has an extensive knowledge of history; but the whole of the historical portion of his speech I shall succintly and cursorily dismiss, because the right hon. Gentleman deals in such propositions as this—that the Norman conquest of England was similar in its operation and effect to the English conquest of Ireland; and not this only, but likewise that as Ireland was conquered after the Revolution of 1688, so England itself was conquered in order to bring about that Revolution. It would be an unpardonable abuse of the time of the House if I were to suppose it could be necessary to enter for one moment into a detailed analysis and confutation of a statement like that. Before I proceed to co-operate with the right hon. Gentleman, as I shall most cheerfully do, in endeavouring to attain that clear and satisfactory issue which he so much desires, and to which I will try a little to contribute, I will say a few words with reference to what has occurred in the course of the debate. I am bound to admit the general fairness and moderation with which the debate has been conducted. I think that I who appear here as what is called the assailant of the Irish Church, after having in my early days held opinions strongly in favour of its maintenance, cannot in fairness do less than allow that, with the exception perhaps of the Secretary of State for the Home Department, who threw a few stones at me out of the glass house in which he dwells, nothing could give less ground for complaint than the tone which hon. Gentlemen have adopted in referring to the inconsistency of my present as contrasted with my previous career. Naturally, however, there has been criticism upon the Resolutions, and in the debate one point in particular has been dwelt upon on which I conceive that I ought to have previously given an explanation, brief, but important in its nature. In the speech that I made in proposing that the House should resolve itself immediately into a Committee, I ventured to express an opinion that so far as I could forecast the shape which a measure for the disestablishment of the Irish Church was likely to take, it would issue in something like this:—that of the total actual present value of the entire property of that Church at the moment when the change took place no less than three-fifths, and possibly between that proportion and two-thirds, would remain in the hands of the members of the Communion now established by law in Ireland, and would remain in their hands with the perfect good-will of the whole of those among whom they dwelt. Now, Sir, if the House will forgive me, I will give in a very words the sort of rough computation upon which I founded that statement. These will not be supposed to be official figures. Official figures do not exist; and although I do not possess the means of comparatively accurate investigation which are at the disposal of the Government, still in dealing with these large sums I have availed myself of data which I believe are worthy of credit. I believe that the value of the whole capitalized revenue of the whole Established Church may be not unfairly stated at £13,000,000; that the value of the outstanding perpetuities not yet purchased up by the lessees would be about £600,000; and that a fair estimate of the value of churches and parsonages, with the immediate appendages, would be no less than £2,500,000. If that be so, it gives a total of £16,100,000 of which three-fifths would be £9,600,000. Now, Sir, if the clerical life interests were recognized, that, I believe, could not be done at a charge of less than half of the capitalized revenue, or £6,500,000. I ought to have stated that by clerical life interests I refer to incumbents, to beneficed clergymen, inasmuch as there are life interests of a minor character which would have to be considered. There are many lay interests of a minor kind, such as those of organists, clerks in possession of freeholds, and so on, which would not be extravagantly estimated at £500,000. The price of advowsons belonging to members of the Church might be fairly taken at another £500,000; and if the churches and parsonages were left—although it is not part of my duty to propose anything on the subject—in the hands of the present possessors, that would be £2,500,000 more, making a total of £10,000,000, which would be £400,000 more than three-fifths of the whole value of the property. I have said this to show that I did not speak altogether without consideration. My right hon. Friend the Secretary of State for India threatens me, when we get into Committee, with an indefinite number of what he calls categorical questions. My right hon. Friend is perfectly at liberty to put to me as large a number of those questions as he pleases; only, I hope he will allow me to exercise a certain amount of discretion, as to the answers I will give him. It appears to me that I have gone far in the declaration I have made, and further I do not intend to go. But it is requested that I should make an explanation on a point which has been misunderstood in a manner which appears to be singular — I mean the nature of the third Resolution. The strange construction appears to have been put, and put even by Gentlemen in office, on these Resolutions, that they were intended, by the sole act of the House of Commons, to arrest the action of constituted legal powers, such as those which the Irish Church Commissioners exercise, and such, above all, as the Crown makes use of in the exercise of its patronage. Now, if hon. Gentlemen will take the pains to refer to the Irish Church Temporalities Act of 1833, they will find that my third Resolution is little more than a copy of words there used; but on account of my determination to proceed in the most scrupulous and respectful manner, it is not simply a copy, but an expansion of the words contained in that Act, and which recite the surrender by the Crown of its interest and patronage as being the ground on which Parliament proceeded to enact the suppression of several bishoprics. Therefore, admiring as I do the salutary rule and practice of this House—to decline entertaining Bills affecting even to the extent of a hair-breadth, the interest and Prerogatives of the Crown, without the Crown's consent; I, on that account, proposed a Resolution, which forms, as I conceive, the only manner in which I, as a Member of the House, could constitutionally signify my respect for the Crown, and which invites the House to address the Crown to give that consent, without which we do not and cannot, under our salutary rules, act in our legislative capacity in matters affecting the Crown's interest and Prerogatives. The third Resolution is simply a preliminary to the introduction of a Bill, and nothing else in the world except such preliminary. A complaint was made by the Secretary of State which surprised me; for he said I had not stated what whould be the legal condition, except as to property, of the Irish Church, if the plan I propose were adopted. I certainly did say, in terms the most definite that I could use, that the Established Church of Ireland was to be placed in a state of freedom as entire and absolute for the regulation of its own religious concerns as any Dissenting body. I hope that that explanation is satisfactory to the right hon. Gentleman, who, not having heard any observations on that point, gave vent to his imagination, and supposing that something of the kind was meant, called attention to the horrible consequences which would follow such a state of freedom. "What a state of things will follow," said he, if there be no Royal supremacy, no jurisdiction of the Crown or of the Courts, these people will actually, if they think fit, alter their own articles of belief." But that was not all, and I call the particular attention of the House to what follows, because I think it is one of the most striking parts of the whole debate. My right hon. Friend said that if the people of England, now members of the Established Church, and under the coercion of the State, could only get sight of the Irishmen altering their articles of belief, the desire to do the same would become so violently infectious that all the members of the English Church would be crying out to be disestablished that they might follow the example of the Irish Church. [Sir STAFFORD NORTHCOTE was understood to dissent from this.] My right hon. Friend at least said that enough of them would follow the example to cause the ruin and fall of the Established Church in England. The ancient poets have represented that when the followers of the god Bacchus, in a state of violent excitement, went dancing into a country, the whole of the population were invariably smitten with the contagion, and began dancing too. Now, it appears that my right hon. Friend is afraid that all the Irish Churchmen will immediately begin to cut their capers by making new Church constitutions; and so delightful will this process be found that the English people, with all the substantial advantages of Establishment, will not be able to resist the soft infection, and in this way it appears my Motion is to lead to the downfall of the English Establishment. I think that argument of my right hon. Friend sufficiently answers itself. I am bound to say that I think the Irish Protestant Churchmen have been exceedingly ill-used in this debate, and, worst of all, they have been most ill-used by their friends. The noble Lord who spoke last night (Lord Claud John Hamilton) said the Protestants of Ireland were now loyal, but if their Church were disestablished there was no saying what they might do. Their loyalty, then, is a conditional loyalty, dependent on possession of special and exclusive privileges. That is the loyalty of the Irish Protestants, as described not by me but by their friends; but, Sir, I must not say all their Friends, for I feel bound to make an exception in favour of the right hon. and learned Gentleman opposite (the Attorney General for Ireland), who asserted the direct contrary, and said the loyalty of the Protestants would continue, no matter what befell. Perhaps we may take this as a sign that the contagion imagined by the right hon. Baronet is not as catching as he supposed. Still, we are told by some of the Friends of Irish Protestants that if they are put on an equality with their Roman Catholic fellow-countrymen in matters of religion we are not to count on their loyalty. My answer to that allegation, argument, imputation, calumny, or call it what you like, is simply this: I do not believe it, I am bound not to believe it—courtesy permits and justice compels me to state with plainness my utter disbelief in it. Sir, the true answer to these apprehensions of my right hon. Friend is this—that there are in the world, known to history, known to experience, known to every man of common sense, plenty of those bodies who have undergone the process of disestablishment. There are the Episcopalians in Scotland, there are the Episcopalians in America, there are the Episcopalians in all, or nearly all, our colonies, who, strange to say, have gone through all these horrors which are described to us in such lively terms. "Disestablishment! a portentous word, describing a thing still more portentous!" says the right hon. Gentleman. Yes; and what is he doing in Jamaica? Why, his Government is under a pledge at this moment to introduce a Bill to Parliament for the purpose of disestablishing, as far as depends on the Imperial Parliament, the Church now established in Jamaica. Such disestablished bodies not only now exist, but they exist in comfort, they exist in prosperity; they pursue their way calmly and peaceably; they meet their religious controversies and difficulties not as well as we do, for the right hon. Gentleman, in the last flight of his imagination, has given us one of the most doleful descriptions of the Church of England which I ever heard in all my life, with his "combination between High Church Ritualists and Roman Catholics." I here will say that I must retort on the right hon. Gentleman the charge that our arguments and our statements are dangerous to the Church of England; for if the result of the Establishment of the Church of England is that she is at this moment in the position which he pictured in that last most highly-coloured passage of his speech, I must say, I think, that a stronger argument for her disestablishing and for sending her forth into the free air of the wilderness of voluntaryism cannot possibly be conceived. It is the Government, therefore, who, by their arguments, are throwing doubts on the principle of religious Establishments. Then, the right hon. Gentleman says that there is no crisis at all in Ireland; that there is nothing at all to warrant special action at this time; and, by the way, there is one doctrine of his which, although it touches history, I cannot pass by without notice, and that is his doctrine of fundamental laws. He says that when an alteration of a fundamental law is submitted to Parliament, then it is necessary that it should first go to the people—that is to say, that there should be a dissolution—in order that a new Parliament may be elected with the subject of that fundamental law in its view. Well, I believe, Sir, that the fashionable phrase to describe the party of the right hon. Gentleman, who, a few years ago, were Protectionists, who since then have been Conservatives, who, during our first Reform Bill, were Tories, and who, last year, were, I think, neither Tories, Protectionists, nor Conservatives—I believe that the fashionable name for them this year is "Constitutionalists," and it is under that name the right hon. Gentleman produces this most extraordinary doctrine. I recommend the right hon. Gentleman, in his Irish studies, to read the debates on the Act of Union with Ireland, and he will find that Mr. Sheridan vehemently opposed the Act of Union, and set up this doctrine: he said, "You have no right in entering into a Union with another country to alter the fundamental laws;" and he got a pretty setting down from Mr. Pitt. I wish it were in my power, but the lateness of the hour prevents me, to exhibit in its true colours the ultra-democratic—the more than democratic—the anarchical nature of the doctrine. The First Minister of the Crown asserts that subjects of secondary magnitude may be dealt with by Parliament, but that when there is any subject which touches the fundamental laws, then it is their duty to go back to the people before they have the moral authority to deal with it. I do not think it necessary to dwell upon that statement of the right hon. Gentleman. I was sorry to hear it once in the speech of a Prime Minister—twice, I am sure, it will never be. [Mr. DISRAELI: I said it before.] Yes; but I had not the opportunity of following the right hon. Gentleman on that occasion, because, unfortunately, he followed me, or I would have done the very limited justice to his opinion which I have now endeavoured to do. The right hon. Gentleman says that there is nothing distinct in the present political condition of Ireland at the present moment in a sense and of a nature to justify the Motion which I have made. When I presented to the mind of the right hon. Gentleman, and to the mind of the House, that aggregate and combination of circumstances which, taken altogether, constituted the political situation of Ireland, the right hon. Gentleman pursued the process of pulling them asunder, and then arguing from each singly that it does not constitute a crisis, leaving it to be inferred that nothing in the nature of a crisis can result from their combination. He says, with regard to Fenianism, "Why, did you not deal with this crisis in 1866, when you were in the Government? That reminds me that the right hon. Gentleman has been too liberal to me in the historical notice which he has given the House of my life. He stated, not very long ago, that for a quarter of a century during which I had been in power, and in power for the purpose of dealing with the Church in Ireland, I did nothing towards that object. Well, for nine years out of the last twenty-three, I held the office of Chancellor of the Exchequer, and during one only of those nine years—namely, in 1866, I had the responsibility of being the Leader of this House. The right hon. Gentleman says, "Why did you not deal with the Irish Church in 1866, when you asked for the suspension of the Habeas Corpus Act?" My answer is, "For a perfectly plain and simple reason." In the first place, circumstances were not ripe then as they are now. [*Ironical cheers from the Ministerial Benches.*] Circumstances, I repeat, were not ripe, in so far as we did not then know so much as we know now with respect to the intensity of Fenianism. Nor was there any Member of that Government who would have been for one moment justified in giving the official account of Fenianism which has been given within the hearing of us all during the last few weeks by the noble Earl the Chief Secretary for Ireland. But while that was the first reason, it was not our only reason. A second was, that we were occupied with the Reform Bill. ["Oh, oh!"] I say it was totally impossible for us, situated as we were in respect to Reform of the Constitution of Parliament, to apply ourselves to a consideration of the Irish Church. And not only was it totally impossible, but it would have been an insult to the common sense of the noble Lord, who seems to jeer at that statement, if we had requested him, even with his great capacity of mind, to apply himself at the same time to the question of Reform and to that of the Irish Church. The situation of Ireland is this. We have had the guarantees for personal liberty suspended for three years; and the country is in the occupation of an army and of a police organized as an army with reference to that suspension. Now, that is a state of things which, in itself constitutes and proves the existence of this critical condition. It is a state of things which, as I have heard said, is next to war; and in which the enormous power of this country keeps down and suppresses the elements of disaffection. What those elements are I take from the statement of the Minister of the Crown who represents the Irish Department. I have not added one syllable to them; I have not sought to colour them. But if the power from without keeps down the principle of disaffection, sedition, and disloyalty in Ireland, I want to know whether that is a condition in which it is safe for this country to continue? The right hon. Gentleman says, "Oh, but their material condition is improved." Certainly, their material condition is improved; and it is the very fact that, while their material condition has improved to such a degree that it can be perceived—I do not say to a great degree, but to a sensible degree—the political disaffection which lies beneath has become more deeply rooted and more widely extended among the classes described by the noble Earl the Chief Secretary for Ireland; it is this very fact, I say, which makes the picture of Ireland so formidable, and which imposes upon Parliament the duty of no longer flinching from looking the circumstances in the face, and meeting them. When we examine the condition of Ireland, what do we see? We see the religionists of the country divided into three classes. There are the ministers of the Established Church, who have, not for their fault but their misfortune, much pay and little work; there are the ministers of the Presbyterians, who have little pay and much work; there are, lastly, the ministers of the Roman Catholics, and of the minor Protestant sects, who stand in precisely the same category, and these have no pay at all and much work. That is the religious condition of Ireland. Is that a satisfactory state of things? Are we prepared to take the political chances of the future with that state of things staring us in the face? Of course, if a Gentleman has a conscientious belief that the maintenance of a certain Church Establishment is, under all circumstances, an unconditional matter of duty, to him I do not address myself. But that is not the belief of the great majority of the House. The great majority of the House believe, I apprehend, that the connection of the State with religion is necessarily modified by the varying condition of men's minds from time to time and from age to age, both as regards the advantage of the connection, and likewise as regards the divisions of religious belief. And it is, in my opinion, impossible to justify the maintenance of an Establishment which we have ceased to maintain as the exclusive representative of religion, and which we maintain now, I fear, on the far narrower ground of a kind of traditional monopoly that never can be understood, and that always will be resented by the people of Ireland. Well, Sir, I want to know how the Government propose to meet this serious wrong, as I am sure the large majority of the House believe it to be. The right hon. Gentleman wished for a clear and intelligible issue. Now, I will first take the side of the picture presented to us by the right hon. Gentleman, before showing the reverse of the picture. The right hon. Gentleman terrifies us by pointing out that if we disestablish the Church in Ireland we shall dissociate the State from the principle of religion, and lead to disestablishment in Scotland, in Wales—as he assures us on the authority of Mr. Owen Williams—and lastly in England. Now, there is no concealment about our intention. We do propose to sever the Establishment from the State; but if I am asked whether we shall thereby sever the principle of religion from the State, my answer is, that when you have a state of things such as that existing in Ireland, an Establishment cannot be maintained without a violation of what the bulk of the people believe to be the principles of civil justice, and that in that case the extinction of the Establishment and not its extension is the way to give a true religious character to a country. The right hon. Gentleman threatens us with the progress of this devastating principle in other countries, but my answer is that we must judge the case of each country upon its own merits. We do not say—and I certainly do not think—that the cases mentioned by the right hon. Gentleman are in substance analogous to the case of the Irish Church. No argument from a country where the maintenance of an Establishment seems to be just can for a moment avail to warrant it in a country where it is unjust; and I believe the worst enemy of the Church of England, or of the Church of Scotland, or of the Church in Wales, could not suggest a course more detrimental to the interests of those Establishments than the line of argument taken by the right hon. Gentleman and his friends, who really seem prepared, if the Irish Church is disestablished, forthwith to lead an attack against Established Churches elsewhere. Such is my answer, and I hope it is a clear one to the objections of the right hon. Gentleman. I now proceed to ask what, in the face of this state of things, is the position of Her Majesty's Government? And this is open to manifold constructions; for, judging from the speeches of Gentlemen opposite, there is an appearance of considerable discrepancy. Let me first, however, refer to what the right hon. Gentleman the Secretary of State for the Home Department called a letter of mine, which he was pleased to read. Sir, I have done my best to obtain the original of that letter from which the right hon. Gentleman read the extract. The editor of the newspaper (*The Morning Herald*) to whom it was addressed has, in a most courteous manner, done what he could; but I am sorry to state that he has not yet been able to send me the letter. All I can now say is, that it does appear to me to have been rash of the right hon. Gentleman to trust himself to found a Parliamentary attack on a few lines extracted from a letter, he himself never having seen that letter, and having no opportunity of judging of the rest of its contents. As to the matter of the letter, I will simply say that the portion of it which refers to the Act of Union has reference also to an idea which I did entertain at the time it was written, and only abandoned with reluctance. It was not the idea which hon. Gentlemen opposite suppose. Those hon. Gentlemen—if they will forgive me the expression—appear to be under a gross delusion as to the Act of Union. They always talk of it as if it assured to the Irish Church the possession of its property; but there is not a syllable about property in the Act of Union. I had in my mind—I am not ashamed to confess it—the last fragment of the Irish Church which I was inclined to preserve. Notwithstanding the sneer pronounced by my hon. and learned Friend the Member for Sheffield (Mr. Roebuck) on ecclesiastical Establishments—and I think there was truth in it—I am not ashamed to avow that I regretted the diminution in the House of Lords of the number of those who were there by merit—some of my friends now near me know that such was my feeling—and I did think it would be desirable to keep in that House a certain number of the Irish Bishops. If asked when the Irish question would assume the importance it has now assumed, I would have said, perhaps not for five, perhaps not for ten years. Therefore, though this question had not then entered the domain of politics, I thought it my duty to give notice to my constituents of my feeling on the matter. Was the right hon. Gentleman the Home Secretary prepared to give notice in 1865 of his sentiments on another subject? [Mr. GATHORNE HARDY made some observation across the table which was inaudible in the Gallery.] The right hon. Gentleman says he has been elected since. That is perfectly true, and let him take the benefit of it. [Mr. GATHORNE HARDY made another observation, which also was inaudible in the Gallery.] That is a matter which I think would admit of some little discussion; but if he says that he thinks he could have been elected for the University of Oxford in 1865 as the advocate of household suffrage, with my knowledge of that constituency during a period of sixteen years, I must say that such a supposition is contrary to my experience. The right hon. Gentleman says that it is the glory and the privilege of the State to maintain the light of the Reformation in Ireland. That sounds all very fine, but that is not the only glory and privilege of the State, because we are paying some £30,000 a year for the maintenance of Maynooth College, whence something like 100 priests are sent forth annually to teach the people that the Reformation is no glory and no light, but that all the glory and the light are in the Roman fold and the Roman pastor. The anxiety of the right hon. Gentleman to maintain this glory and privilege of exhibiting the light of the Reformation is not in the slightest degree incompatible with his seeking another glory and privilege in 1868 by proposing to endow from the purse of the people of this country a Roman Catholic University in Ireland. There are considerable deductions from that kind of glory and privilege which the right hon. Gentleman has described. However, glory and privilege is the motto of the right hon. Gentleman; but what is the motto of the Prime Minister? I must refer to that which was pointedly brought into view by my right hon. Friend near me, the Member for Oxford (Mr. Cardwell), and which was, I will not say sedulously, but unfortunately and accidentally avoided by the Prime Minister in his speech. There is no injustice at all in referring to the speech of the Prime Minister in 1844, for the plain and simple reason that the right hon. Gentleman, I think with great courage, considering by whom he is surrounded, has distinctly stated twice over in 1868, in the midst of many apologetic expressions, that the sentiment of that speech was right. Now, what was the sentiment of that speech? I have read it lately, and have not forgotten it. Many hon. Members may have read it, but those who have not have a treat to enjoy. I speak seriously. The right hon. Gentleman disparaged the speech; but a more closely woven tissue of argument and observation has seldom been known in the debates of this House; and the right hon. Gentleman does not now shrink from the substance of it. I will not quote from the speech, but I will describe it in a single word. The whole of that speech referable to the Church of Ireland may be fairly summed up in the single word "Destruction." Now, I appeal to any man, and to any of the Colleagues of the right hon. Gentleman, if they have that speech in their memory, whether that is not a fair description of it. Here, then, are two undoubtedly important declarations separated by an immeasurable interval; but there is also a third. There was the declaration of the noble Earl the Chief Secretary for Ireland, and he said in his official statement on behalf of the Government—

> "There would not, I believe, be any objection to make all Churches equal; but the result must be secured by elevation and not by confiscation."

Therefore, in the midst of glory and privilege, on the one side, and destruction on the other, there comes the equality of Churches by elevation. In my desire to contribute to this plain and intelligible issue, I should like to invite the attention of the House for a few moments to the meaning of that word "elevation." Then came the noble Lord the Secretary of State for Foreign Affairs, who, applying ice from Wenham Lake to the sentiments which, like lava from Vesuvius, flowed from the Secretary of State for the Home Department, surveyed us mortals from Epicurean heights, and described, with the most perfect absence of passion—I will not say of enthusiasm—the destinies, one more deplorable than the other, which might befall the Irish Church. Perhaps the noble Lord, when we come to discuss the first Resolution in Committee, will more fully develop his views. But there is a mode of harmonizing the three statements which have been made upon this question, though they are apparently remote from one another. The right hon. Gentleman is enigmatic; but, like the hieroglyphics and cuneiform inscriptions on ancient monuments, his meaning yields to faithful comparison and research. To-night the right hon. Gentleman discusses the principles on which the Irish Government has been carried on, and by which it appears he was about to obtain some astonishing result, if he had not been stopped by my Motion, and by a conspiracy, I think he made out, between the High Church Ritualists and the Pope. The principle is this—to strengthen Protestants by doing justice to Roman Catholics. He quotes as an instance of his anxiety to assist in this work the passing of the Roman Catholic Oaths Bill in 1865. He did not prevent the passing of the Bill. No; and I am glad that the right hon. Gentleman in that year repented of what he had previously done. It was a tardy concession after long and repeated resistance by the right hon. Gentleman and his Friends; and now, forsooth, they claim some special credit for the passing of a measure with regard to which all that can be said is that, at a given moment, they ceased to resist it. The right hon. Gentleman says that our measure is destructive, and that he wishes to create. Will the right hon. Gentleman allow us to translate into plain and simple language the whole of these dark and ambiguous declarations, in order that we may place the views of the right hon. Gentleman and the Government beside ours, and upon that juxtaposition we may raise the satisfactory issue so much desired? There was a principle which the right hon. Gentleman once called "the Pantheistic principle." In the speech in which that expression occurs the right hon. Gentleman said—

> "You and your Erastian principles are crumbling into dust. Will you adopt the Pantheistic principle? I have unfaltering confidence in the stability of the Church; but the danger which threatens it is—What? Nonconformity? No. It is the connection between the Church and the State. This places it under the control of the House of Commons, which is not necessarily of the same communion. Leave the Church to itself, and it will shrink from no contest."

The right hon. Gentleman went on to say—

> "I believe the question to be, Will you sever the Church from the State, or will you endow the Roman Catholic Church? For my own part, I believe the Protestants of Ireland would say, 'Sever the connection between Church and State, and do not endow the Roman Catholics.'"

"Then we come," says the right hon. Gentleman, "to this further consideration—are we to recognize the Pantheistic principle?" It is fair to interpret a man's language by other language of his own, and what I understand the right hon. Gentleman to mean when he says he wants to create, and not to destroy, is that he wants Parliament to adopt the Pantheistic principle. That is a very hard word for some of our constituents; but its meaning is clear, beyond dispute. The intention and desire of the Government, including the right hon. Gentleman the Home Secretary, who stands up so strongly for the glory and privilege of defending the Church, is to set up alongside of the Establishment other Established Churches — Presbyterians and Roman Catholics, and lesser bodies, all endowed out of the Consolidated Fund. That is the only intelligible policy I can ascribe to the Government, and I ask, Is the country prepared for such a policy? Something of this kind might have done at the time of Mr. Pitt, or even at a later period. It was earnestly desired by the Liberal policians of that day. But look at the singular fact that seems to cling to the party of the right hon. Gentleman—that they always endeavoured to adopt and wear the cast-off robes of the Liberal party. That which the Liberal party desired and strove for a generation ago, and that which they prevented that party from passing, they afterwards took up and strove for when it had been abandoned by the Liberal party and by the people. That policy of the Government is one that cannot and will not be adopted by the people of this country. It is detested by Scotland; it is not desired by England; it is repelled and rejected by Ireland. Were we to join him in giving effect to such a policy, the only result would be, that we, in common with them, should be involved in the shipwreck of the plan. The sentiments and convictions of the Three Kingdoms are so opposed to it that it is a vain scheme, to be entirely dismissed. This is the point at issue—that the Church in Ireland shall cease to exist as an Establishment, though with every softening measure that a due regard to proprietary and vested interests, and I would add even to feelings, can suggest. It is totally impossible to proceed only by way of internal reforms, which may diminish abuse, but will really increase the great abuse. The hon. and learned Member for Sheffield (Mr. Roebuck) spoke of the value of the clergy to Ireland as a resident gentry. But supposing that true, such are the essentially false elements in the position of the Irish Church radically considered that efforts at reform will only deteriorate in one sense what they may mend in another. I recollect the solemn appeal made by the hon. and learned Member for Sheffield, and I have not striven in any way to depreciate the gravity of the question. It is impossible that any person not having official responsibility can take upon himself a greater charge than when he presumes to recommend to the House a change such as this. Will the hon. and learned Member for Sheffield (Mr. Roebuck) and the hon. Member for Nottingham (Mr. Osborne) allow me to offer them some apology for the conduct of the Liberal party on this question? They have hardly done justice to the Liberal Government and themselves, and those who have acted with them. The Liberal party did make one very limited, but very serious and earnest effort to deal with the Irish Church. It was on an exceedingly narrow issue—that of the Appropriation Clause; but narrow as it was it was too wide not merely for their Parliamentary interests, but for the then feeling of the country. Let us consider what happened from 1834 to 1838. They fought that question steadily. It is quite true that they put Sir Robert Peel out of Office because he would not adopt it; but it is not true that they dropped it in consequence of obtaining his place. The very first effect of their taking up that question was the secession of a powerful section of the Cabinet. Their opponents in this House, of whom I was one, were sustained by the House of Lords, and not only by the House of Lords, but by the constituencies. Therefore, in that they were fairly beaten, and, having been fairly beaten they are not justly to be blamed because they have not incessantly renewed the agitation of that question. But we agree that the memory of that defeat should make us cautious in again taking to so serious an engagement. I quite agree with my hon. and learned friend (Mr. Roebuck) that it is of vital importance that, entering into this matter, we should to the best of our power go through with it. I quite agree with my right hon. Friend the Secretary of State for India that the great question should not be huddled up into the form of an abstract Resolution; and if he and also my learned Friend reply to me as he may justly, that mere words are but light and trivial and may well beget suspicion rather than remove it, I point to the second and third Resolutions as unequivocal proofs and guarantees that as far as we are concerned, and so far as those with whom I have had the honour and privilege to communicate are concerned, it is our intention not to mock the people of Ireland with idle words, but, while avoiding any unreasonable demand on a Parliament which has but limited time at its disposal, we do ask from that Parliament so much at least of action as shall serve to show its sincerity by practical proof, by clearing the ground for decisive action in the next. That is my answer to my hon. and learned Friend in reply to a question which I admit to be just and warranted by the circumstances—an answer which I hope he will appreciate. I am myself jealous of all professions in this matter which cannot be accompanied by that which shall be a substantial earnest of my intentions. So viewing the proposal, so avowing that we think that the time has come for this great and beneficial change to be brought about in Ireland, we commend it most earnestly to the acceptance of this House, as a step that is alike needed for the honour of Parliament, for the satisfaction and contentment of Ireland; and even if Ireland were likely to be satisfied and contented without it yet required for the purpose of removing a stain from the name and good fame of the State, of the Law, and of the people of this country.

Mr. NEWDEGATE stated that he should vote against going into Committee. He wished it to be understood that he would not consent to the transfer of any portion of the Church property for the benefit of any other religious body.

Question put. The House *divided* :—Ayes 330; Noes 270: Majority 60.

[Division List No. 19 contains 331 Names of Members who voted with the Ayes.]

AYES.

Acland, T. D.
Adair, H. E.
Agar-Ellis, hn. L. G. F.
Agnew, Sir A.
Akroyd, E.
Allen, W. S.
Amberley, Viscount
Andover, Viscount
Anson, hon. Major
Anstruther, Sir R.
Armstrong, R.
Ayrton, A. S.
Aytoun, R. S.
Bagwell, J.
Baines, E.
Barclay, A. C.
Barnes, T.
Barry, A. H. S.
Barry, C. R.
Bass, A.
Bass, M. T.
Baxter, W. E.
Bazley, T.
Beaumont, H. F.
Berkeley, hon. H. F.
Biddulph, M.
Biddulph, Col. R. M.
Bingham, Lord
Blake, J. A.
Blennerhassett, Sir R.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Bowyer, Sir G.
Brady, J.
Brand, rt. hon. H.
Bright, Sir C. T.
Bright, J. (Manchester)
Bright, J. (Birmingham)
Browne, Lord J. T.
Bruce, Lord C.
* Bruce, Lord E.
Bruce, rt. hon. H. A.
Bryan, G. L.
Bulkeley, Sir R.
Buller, Sir A. W.
Buller, Sir E. M.
Burke, Viscount
Butler, C. S.
Butler-Johnstone, H. A.
Buxton, C.
Buxton, Sir T. F.
Calcraft, J. H. M.
Calthorpe, hn. F. H. W. G.
Candlish, J.
Cardwell, rt. hon. E.
Carnegie, hon. C.
Carter, S.
Castlerosse, Viscount
Cave, T.
Cavendish, Lord E.
Cavendish, Lord F. C.
Cavendish, Lord G.
Chambers, M.
Chambers, T.
Cheetham, J.
Childers, H. C. E.
Cholmeley, Sir M. J.
Clay, J.
Clement, W. J.
Clinton, Lord A. P.
Clinton, Lord E. P.
Clive, G.
Cogan, rt. hon. W. H. F.
Colebrooke, Sir T. E.
Coleridge, J. D.
Collier, Sir R. P.
Colvile, C. R.
Corbally, M. E.
Cowen, J.
Cowper, hon. H. F.
Cowper, rt. hon. W. F.
Craufurd, E. H. J.
Crawford, R. W.
Crossley, Sir F.
Dalglish, R.
Davey, R.
Davie, Sir H. R. F.
De La Poer, E.
Denman, hon. G.
Dent, J. D.
Dering, Sir E. C.
Devereux, R. J.
Dilke, Sir W.
Dillwyn, L. L.
Dixon, G.
Dodson, J. G.
Doulton, F.
Duff, M. E. G.
Duff, R. W.
Earle, R. A.
Edwards, C.
Edwards, H.
Eliot, Lord
Ellice, E.
Enfield, Viscount
Erskine, Vice.-Ad. J. E.
Esmonde, J.
Evans, T. W.
Ewart, W.
Ewing, H. E. Crum-
Eykyn, R.
Fawcett, H.
Fildes, J.
FitzGerald, rt. hn. Lord O. A.
FitzPatrick, rt. hn. J. W.
Fitzwilliam, hn. C. W. W.
Foley, H. W.
Foljambe, F. J. S.
Fordyce, W. D.
Forster, C.
Forster, W. E.
Fortescue, rt. hn. C. S.
Fortescue, hon. D. F.
Foster, W. O.
French, rt. hon. Colonel
Gaselee, Serjeant S.
Gavin, Major
Gibson, rt. hon. T. M.
Gilpin, C.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Goldsmid, Sir F. H.
Goschen, rt. hon. G. J.
Gower, hon. F. L.
Gower, Lord R.
Graham, W.
Gregory, W. H.
Grenfell, H. R.
Greville-Nugent, A. W. F.
Greville-Nugent, Col.
Gray, Sir J.
Grosvenor, Earl
Grosvenor, Lord R.
Grosvenor, Capt. R. W.
Grove, T. F.
Gurney, S.
Hadfield, G.
Hamilton, E. W. T.
Hankey, T.
Hanmer, Sir J.
Hardcastle, J. A.
Harris, J. D.
Hartington, Marq. of
Hay, Lord J.
Hay, Lord W. M.
Hayter, A. D.
Headlam, rt. hon. T. E.
Henderson, J.
Heneage, E.
Henley, Lord
Herbert, H. A.
Hibbert, J. T.
Hodgkinson, G.
Hodgson, K. D.
Holden, I.
Holland, E.
Horsman, rt. hon. E.
Howard, hon. C. W. G.
Howard, Lord E.
Hughes, T.
Hughes, W. B.
Hurst, R. H.
Hutt, rt. hon. Sir W.
Ingham, R.
Jervoise, Sir J. C.
Johnstone, Sir J.
Kearsley, Captain R.
Kennedy, T.
King, hon. P. J. L.
Kinglake, A. W.
Kinglake, J. A.
Kingscote, Colonel
Kinnaird, hon. A. F.
Knatchbull-Hugessen, E
Labouchere, H.
Laing, S.
Lamont, J.
Lawrence, W.
Lawson, rt. hon. J. A.
Layard, A. H.
Leatham, E. A.
Leatham, W. H.
Lee, W.
Leeman, G.
Lefevre, G. J. S.
Lewis, H.
Lloyd, Sir T. D.
Locke, J.
Lorne, Marquess of
Lowe, rt. hon. R.
Lusk, A.
MacEvoy, E.
Maguire, J. F.
M'Kenna, Sir J. N.
M'Laren, D.
Marjoribanks, Sir D. C.
Marsh, M. H.
Marshall, W.
Martin, C. W.
Martin, P. W.
Matheson, A.
Melly, G.
Merry, J.
Milbank, F. A.

Mill, J. S.
† Miller, W.
Mills, J. R.
Mitchell, A.
Mitchell, T. A.
Moffatt, G.
Moncreiff, rt. hon. J.
Monk, C. J.
Monsell, rt. hon. W.
Moore, C.
More, R. J.
Morris, G.
Morris, W.
Morrison, W.
Murphy, N. D.
Neate, C.
Nicholson, W.
Nicol, J. D.
O'Beirne, J. L.
O'Brien, Sir P.
O'Conor Don, The
O'Donoghue, The
Ogilvy, Sir J.
O'Loghlen, Sir C. M.
Onslow, G.
O'Reilly, M. W.
Osborne, R. B.
Otway, A. J.
Owen, Sir H. O.
Padmore, R.
Paget, T. T.
Parry, T.
Pease, J. W.
Peel, A. W.
Peel, J.
* Peel, rt. hon. Sir R.
Pelham, Lord
Philips, R. N.
Platt, J.
Pollard-Urquhart, W.
Portman, hon. W. H. B.
Potter, E.
Potter, T. B.
Power, Sir J.
Price, R. G.
Price, W. P.
Pritchard, J.
Proby, Lord
Rawlinson, Sir H.
Rearden, D. J.
Rebow, J. G.
Robartes, T. J. A.
Robertson, D.
Roebuck, J. A.
Rothschild, Baron L. de
Rothschild, Baron M. de
Rothschild, N. M. de
Russell, A.
Russell, F. W.
Russell, H.
Russell, Sir W.
St. Aubyn, J.
Salomons, Mr. Ald.
Samuda, J. D'A.
Samuelson, B.
Scott, Sir W.
Seely, C.
Seymour, A.
Shafto, R. D.
Sheridan, H. B.
Sheridan, R. B.
Sherriff, A. C.
Simeon, Sir J.
Smith, J.
Smith, J. A.
Smith, J. B.
Speirs, A. A.
Stacpoole, W.
Stanley, hon. W. O.
Stansfeld, J.
Stock, O.
Stone, W. H.
Stuart, Col. Crichton-
Sullivan, E.
Sykes, Colonel W. H.
Synan, E. J.
Talbot, C. R. M.
Taylor, P. A.
Thompson, M. W.
Tomline, G.
Torrens, W. T. M'C.
Tracy, hon. C. R. D. Hanbury-
† Traill, G.
Trevelyan, G. O.
Vanderbyl, P.
Verney, Sir H.
Vernon, H. F.
Villiers, rt. hon. C. P.
Vivian, H. H.
Vivian, Capt. hn. J.C.W.
Waldegrave-Leslie, hon. G.
Waring, C.
Warner, E.
Watkin, E. W.
Weguelin, T. M.
Western, Sir T. B.
Whalley, G. H.
Whatman, J.
Whitbread, S.
White, hon. Capt. C.
White, J.
Whitworth, B.
Winterbotham, H. S. P.
Woods, H.
Wyvill, M.
Young, G.
Young, R.

TELLERS.

Glynn, G.
Adam, W. P.

## NOES.

Adderley, rt. hon. C. B.
Annesley, hon. Col. H.
Antrobus, E.
Archdall, Captain M.
Arkwright, R.
Baggallay, R.
Bagge, Sir W.
Bagnall, C.
Bailey, C.
Bailey, Sir J. R.
Baillie, rt. hon. H. J.
Baring, T.
Barnett, H.
Barrington, Viscount
Barttelot, Colonel
Bateson, Sir T.
Bathurst, A. A.
Beach, Sir M. H.
Beach, W. W. B.
Bective, Earl of
Beecroft, G. S.
Bentinck, G. C.
Benyon, R.
Beresford, Capt. D. W. Pack-
Bernhard, hn. Col. H. B.
Booth, Sir R. G.
Bourne, Colonel
Bowen, J. B.
Brett, Sir W. B.
Bridges, Sir B. W.
Briscoe, J. I.
Brooks, R.
Bruce, Major C.
Bruce, Sir H. H.
Bruen, H.
Buckley, E.
Capper, C.
Cartwright, Colonel
Cave, rt. hon. S.
Cecil, Lord E. H. B. G.
Clive, Lt.-Col. hn. G.W.
Cobbold, J. C.
Cochrane, A.D.R.W.B.
Cole, hon. H.
Cole, hon. J. L.
Connolly, T.
Cooper, E. H.
Corrance, F. S.
Corry, rt. hon. H. L.
Courtenay, Viscount
Cox, W. T.
Cremorne, Lord
Cubitt, G.
Curzon, Viscount
Dalkeith, Earl of
Davenport, W. B.
Dawson, R. P.
Dick, F.
Dickson, Major A. G.
Dimsdale, R.
Disraeli, rt. hon. B.
Dowdeswell, W. E.
Du Cane, C.
Duncombe, hon. Adml.
Duncombe, hon. Colonel
Dunne, rt. hon. General
Du Pre, C. G.
Dutton, hon. R. H.
Dyke, W. H.
Dyott, Colonel R.
Eaton, H. W.
Eckersley, N.
Edwards, Sir H.
Egerton, hon. A. F.
Egerton, E. C.
Egerton, Sir P. G.
Egerton, hon. W.
* Elcho, Lord
Fane, Lt.-Col. H. H.
Fane, Colonel J. W.
Feilden, J.
Fellowes, E.
Fergusson, Sir J.
Finch, H.
Floyer, J.
Forde, Colonel
Forester, rt. hon. Gen.
Freshfield, C. K.
Galway, Viscount
Gallwey, Sir W. P.
Garth, R.
Getty, S. G.
Gilpin, Colonel
Goddard, A. L.
Goldney, G.
Gooch, Sir D.
Goodson, J.
Gordon, rt. hon. E. S.
Gore, J. R. O.
Gore, W. R. O.
Gorst, J. E.
Grant, A.
Graves, S. R.
Greenall, G.
Greene, E.
Gray, Lieut.-Colonel
Grey, hon. T. de
Griffith, C. D.
Guinness, Sir B. L
Gurney, rt. hon. R.
Gwyn, H.
Hamilton, Lord C.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, Viscount
Hardy, rt. hon. G.
Hardy, J.
Hartley, J.
Hartopp, E. B.
Harvey, R. B.
Harvey, R. J. H.
Hay, Sir J. C. D.
Heathcote, Sir W.
Henley, rt. hon. J. W.
Henniker-Major, hon. J. M.
Herbert, rt. hn. Gen. P.
Hervey, Lord A. H. C.
Hesketh, Sir T. G.
Heygate, Sir F. W.
Hildyard, T. B. T.
Hodgson, W. N.
Hogg, Lt.-Colonel J. M.
Holford, R. S.
Holmesdale, Viscount
Hood, Sir A. A.
Hope, A. J. B. B.
Hornby, W. H.
Horsfall, T. B.
Hotham, Lord
Howes, E.
Hubbard, J. G.
Huddleston, J. W.
Innes, A. C.
Jervis, Major
Jolliffe, hon. H. H.
Karslake, E. K.
Karslake, Sir J. B.
Kavanagh, A.
Kekewich, S. T.
Kelk, J.
Kendall, N.
Keown, W.
King, J. G.
King, J. K.
Knight, F. W.
Knightley, Sir R.
Knox, Colonel
Knox, hon. Colonel S.
Lacon, Sir E.
Laird, J.
Langton, W. G.
Lanyon, Sir C.
Lascelles, hn. E. W.
Lechmere, Sir E. A. H.
Lefroy, A.
Legh, Major C.

Lennox, Lord G. G.
Lennox, Lord H. G.
Leslie, C, P.
Lindsay, hon. Col. C.
Lindsay, Col. R. L.
Lopes, Sir M.
Lowther, Colonel
Lowther, J.
Lowther, W.
† M'Lagan, P.
Mainwaring, T.
Malcolm, J. W.
Manners, Lord G. J.
Manners, rt. hn. Lord J.
Matheson, Sir J.
Maxwell, W. H.
Mayo, Earl of
Meller, Colonel
Mitford, W. T.
Montagu, rt. hn. Lord R.
Montgomery, Sir G.
Mordaunt, Sir C.
Morgan, hon. Major
Morgan, O.
Mowbray, rt. hn. J. R.
Neeld, Sir J.
Neville-Grenville, R.
Newdegate, C. N.
Newport, Viscount
Noel, hon. G. J.
North, Colonel
Northcote, rt. hn. Sir S. H.
O'Neill, E.
Paget, R. H.
Palk, Sir L.
Parker, Major W.
Patten, rt. hon. Col. W.
Paull, H.
Peel, rt. hon. General
Pennant, hon. G. D.
Powell, F. S.
Pugh, D.
Read, C. S.
Repton, G. W. J.
Ridley, Sir M. W.
Robertson, P. F.
Royston, Viscount
Russell, Sir C.
Saunderson, E.
Schreiber, C.
Sclater-Booth, G.
Scourfield, J. H.
Selwin-Ibbetson, H. J.
Severne, J. E.
Seymour, G. H.
Simonds, W. B.
Smith, A.
Smith, S. G.
Smollett, P. B.
Somerset, Colonel
Somerset, E. A.
Stanhope, J. B.
Stanley, hon. F
Stanley, Lord
Stirling-Maxwell, Sir W.
Stopford, S. G.
Stronge, Sir J. M.
Stuart, Lieut.-Col. W.
Stucley, Sir G. S.
Sturt, H. G.
Sturt, Lieut.-Col. N.
Surtees, C. F.
Surtees, H. E.
Sykes, C.
Thorold, Sir J. H.
Thynne, Lord H. F.
Torrens, R.
Tottenham, Lt.-Col. C. G.
Treeby, J. W.
Trevor, Lord A. E. Hill-
Trollope, rt. hon. Sir J.
Turner, C.
Vance, J.
Verner, E. W.
Verner, Sir W.
Walcott, Admiral
Walker, Major G. G.
Walpole, rt. hon. S. H.
Walrond, J. W.
Walsh, A.
Walsh, Sir J.
Warren, rt. hon. R. R.
Waterhouse, S.
Welby, W. E.
Williams, Colonel
Williams, F. M.
Wise, H. C.
Woodd, B. T.
Wyld, J.
Wyndham, hon. H.
Wyndham, hon. P.
Wynn, Sir W. W.
Wynne, W. R. M.
Yorke, J. R.

TELLERS.

Taylor, Colonel
Whitmore, J.

Main Question put.

The House *divided*:—Ayes 328; Noes 272: Majority 56.

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* Lord Ernest Bruce, * Sir Robert Peel—Voted with the Ayes on Question, "That the words, &c.;" did not vote on Main Question.

* Lord Elcho—Voted with the Noes on Question, "That, &c.;" did not vote on Main Question.

† Mr. William Miller, † Mr. George Traill—Voted with the Ayes on Question, "That, &c.;" voted with the Noes on Main Question.

† Mr. Peter M'Lagan—Voted with the Noes on Question, "That, &c.;" voted with the Ayes on Main Question.

Viscount Cranborne, Mr. G. M. W. Sandford—Did not vote on Question, "That, &c.;" voted with the Noes on Main Question.

Mr. Whitmore—Was Teller for the Noes on Question, "That, &c.;" voted with the Noes on Main Question.

Hon. G. J. Noel—Voted with the Noes on Question, "That, &c.;" was Teller for the Noes on Main Question.

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Acts *considered* in Committee.

Committee report Progress; to sit again upon *Monday* 27th April.

### ENTAIL AMENDMENT (SCOTLAND) BILL.

On Motion of The Lord Advocate, Bill to amend in several particulars the Law of Entail in Scotland, *ordered* to be brought in by The Lord Advocate, Sir James Fergusson, and Mr. Secretary Gathorne Hardy.

Bill *presented*, and read the first time. [Bill 86.]

House adjourned at a quarter after
Three o'clock till Monday,
20th April.

## HOUSE OF COMMONS,

### *Monday, April* 20, 1868.

MINUTES.]—New Writs Issued—*For* Cockermouth, *v.* John Steel, esquire, deceased; *for* the Parts of Kesteven and Holland, in the County of Lincoln, *v.* Sir John Trollope, baronet, called up to the House of Peers; *for* Kent (Eastern Division), *v.* Sir Brooke William Bridges, baronet, called up to the House of Peers; *for* Radnorshire, *v.* Sir John Benn Walsh, baronet, called up to the House of Peers; *for* Leominster, *v.* Hon. Arthur Walsh, Manor of Northstead.

New Members Sworn — Hon. William Henry Peregrine Carington, *for* Chipping Wycombe; Henry Charles Lopes, esquire, *for* Launceston.

Supply—*considered in Committee*—Civil Service Estimates—Class I.

Public Bills — *Second Reading* — Boundary [78]; Titles to Land Consolidation (Scotland)* [57]; Ecclesiastical Buildings and Glebes (Scotland)* [58].

*Committee*—Petty Sessions and Lock-up Houses* [75]; Prisons (Compensation to Officers)* [80].

*Report*—Petty Sessions and Lock-up Houses* [75]; Prisons (Compensation to Officers)* [80].

### SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

### INDIA—IRRIGATION OF PUBLIC LANDS.

### RESOLUTIONS.

Mr. SMOLLETT said, he rose to call the attention of the House to the very unsatisfactory manner in which certain joint-stock companies had, for the last eight years, performed the functions entrusted to them of supplying irrigation to public lands in India — from their own funds — so far as the pecuniary results of their operations had been communicated to Parliament. The Question he had to submit to the House was, Whether the Secretary of State for India ought to be permitted to advance to private adventurers enormous grants of public money for the prosecution of schemes which were hopelessly discountenanced by all financial societies and bankers? He thought he should be able to show in the two instances to which he would refer that, while schemes involving an outlay of something like £4,000,000 had been undertaken by private adventurers within the last few years, for their sole profit, these works had been aided by profuse grants of public money without any sufficient security for ultimate re-payment. This course had been pursued, too, at a time when the Financial Secretaries whom we had sent out to India during the last few years had been cudgelling their brains to devise new taxes to impose upon the people of India, and although the Governor General had protested in the most emphatic manner against those adventurers being assisted in enterprizes which created great complications, and embarrassed the general policy of the Government. The House would recollect that, at the commencement of the Session, he (Mr. Smollett) asked the Secretary of State for India whether he was a party to the offer to purchase the stock of a company called the East India Irrigation Company at par, with the full knowledge that that stock had for the last two years stood at 25 per cent discount, and had become almost unmarketable. The right hon. Baronet gave him an evasive answer, stating that an offer somewhat in the terms indicated had been made, but that he could not then tell precisely what it was. The right hon. Gentleman further said, upon that occasion, that the offer could not have been an exorbitant one, inasmuch as it had been declined. He (Mr. Smollett) demurred to the opinion that the offer could not have been exorbitant because it was declined. He admitted that the offer was refused; but why, he asked, was it refused? Because certain astute gentlemen in the City of London were prone to regard the Secretary of State as being made of very soft and squeeezable materials, when they found him offering a high price for stock which was practically unsaleable in the market. Those astute gentlemen were not deceived. The Answer of the right hon. Baronet was very evasive; because he forgot to mention the fact that he had been for two months negotiating a large loan of the public money to those adventurers. Now, as he was one of those who considered that to lend the public money to such persons was a much greater act of impropriety than if the Government had purchased the whole concern outright, he had felt constrained to bring the matter forward and, if he did not obtain a satisfactory explanation upon this matter, he was determined, if that moribund House would give him any support, to press the Motion he was about to make to a division. The principle of conceding to private adventurers the public duty of carrying out improvements on the lands of the Government in India was one which had only been admitted in recent times. About fourteen years ago, some unscrupulous adventurers at Bombay proposed to embark in works of this nature, but the Marquess of Dalhousie, the then Governor General of India, set his face against the project. Indeed it was the opinion of all practical men, excepting some scheming engineers, that concessions to private adventurers for the carrying out of works of this character were simply mischievous, and should always be discountenanced. No one had enunciated this proposition more forcibly or more frequently than Sir John Lawrence. If he (Mr. Smollett) were permitted to give his own opinion upon the matter, having had some experience of suhc works, he would say it was absolutely impossible for any company of adventurers of the City of London to carry on enterprizes of this character to a successful issue. The necessary arrangements which they involved could only be made by the Government establishments on the spot, acting under definite rules and definite powers. From his own experience of the country, he felt certain that it was impossible for any body of men in London to organize a collection of water-rates or water-cesses from 500,000 or 600,000 poor cultivators in India. That collection could only be made by a Government establishment armed with adequate authority. But he would not argue this point at length; for the experiment had been tried on a large scale, under the most favourable auspices, and it had proved a gigantic failure, and would, he believed, never be repeated. An impulse was given to the adventures of these joint-stock companies by the publication, in 1854, of a Madras blue book, purporting to be the Report of the Public Works Commissioners at Madras. That book was composed very much in the style of a romance, and in fact it was a romance. The Commissioners reported on all the irrigation works which the Madras Government had been engaged in during the previous twelve years, and asserted that, though some of them were failures, they had in the aggregate given an average return of 100 per cent from the date, not of their completion, but of their commencement. They selected for special laudation the prosperity of the irrigation works on the Godavery, and stated that, although they had cost £200,000, and took four years to construct, they had yielded a return of £300,000, in some mysterious manner, during the process of construction and before irrigation was applied to the soil, thus re-paying the cost of construction and placing £100,000 in the Government Exchequer. But the Commissioners went on to state of this work that if the Government only charged one-tenth of the value of the water it supplied for irrigation purposes, it would continue to receive a profit of £300,000 per annum, upon an outlay of something less than that sum; while the people whose lands were irrigated would be benefited to the extent of £3,320,000 per annum by the increased value of their produce. When calculations of this sort—calculations not merely of grandeur, but approaching to sublimity—were published by the Madras Government, it was not to be wondered at that the cupidity of certain gentlemen in London was excited, and that they should yearn to embark in enterprizes like those to which he had referred, which seemed to offer such stupendous returns from a comparatively insignificant outlay. But the Madras Government, he regretted to state, continued to publish the most deceitful statements of profits derived from irrigation works in India. He held in his hand a Return which had been placed on the table of the House at the instance of the hon. Member for Stockport (Mr. J. B. Smith)—a Return of the Works of Irrigation executed in the Madras Provinces during recent years. It appeared, according to the statement contained therein, that the whole cost of one of these works was about £23,000, and that the Returns in the years of 1858-9, amounted to £159,000, being a net profit of 664 per cent, and in 1859-60, £175,000, or at the rate of 720 per cent per annum. Now, he (Mr. Smollett) took the trouble of sending to Madras to ascertain whether those Returns were true or false, and, in reply, he was furnished with official documents, informing him that they were entirely false and fallacious. Without pursuing this particular subject, the unravelling of which would consume much time, he should pass on to the consideration of those particular works which were the immediate objects of his Resolution. These schemes, although they were both under one managemement, coached by the same financier, yet, as the accounts were kept separate, he should treat them separately. The first of those works was the Madras Irrigation Works, which came into being in the following way:—At the end of the year 1858, a deputation of adventurers waited upon the then Secretary of State for India, at his office in Cannon Row; they brought a prospectus with them, which purported to show that the proposed works would yield at least 100 per cent per annum, and, that as the Government were then busily engaged in the effort to suppress the rebellion in India, and therefore could not turn their attention to the carrying out of those works, they were ready to invest £2,000,000 which they had at their command in their execution. This deputation represented that before spending so large a sum of money for such a purpose it would be absolutely necessary that they should obtain a concession from the Government, and a contract by which their rights would be defined. The noble Lord the Member for King's Lynn (Lord Stanley), who was then Secretary of State for India, received that deputation of adventurers with great unction, and lent a willing ear to their proposals. Now, if Her Majesty had been graciously pleased to appoint him (Mr. Smollett) Secretary for India—and greater numskulls than he was had been appointed to that office—he would have treated that deputation in a very different way from that in which the noble Lord the Member for King's Lynn had dealt with them. He would have told them that if their prospectus were true, and that by an outlay of £2,000,000, they would become the greatest millionaires in the City of London, he should require from them a very large bonus indeed for the concession which was to place them in that condition. On the other hand, he would have told them if their prospectus were false that the matter required the most mature consideration of the speculators, and that this question should be well-considered before they again applied for assistance to the Government. That would have been business-like advice, but noble Lords and right hon. Baronets were not men of business. The noble Lord told them he was ready to use any influence he possessed to get them the concession, and under the auspices of the noble Lord this concession was granted gratuitously, and the required contract was entered into. According to the terms agreed upon, the Company were to enjoy this concession for a period of twenty-five years—to draw and enjoy all the profits of the works up to 25 per cent per annum, The Government were kindly permitted to enjoy any profits above that percentage, and to have the right of purchasing back the concession at the end of the twenty-five years by buying the whole capital stock of the Company at the average price at which the shares had stood for one year previous to the offer of the purchase. In addition, the Indian Government granted a supplemental concession, by which they had charged themselves with the payment of 5 per cent upon the first £1,000,000 spent on those works, and this was not to continue merely for a year or two, but was to be continued until the speculation yielded more than that amount. In May and June, 1859, Sir Charles Wood, who had succeeded the noble Lord the Member for King's Lynn, as Secretary of State for India, went even further than the noble Lord, for he offered, on the part of the Government, to pay interest at the rate of 5 per cent on the first £1,000,000 proposed to be invested, not from the date of its being spent on the works, but from the date at which it was paid into the public Treasury. Although, up to that time the credit of the adventurers was below zero, yet as the credit of the Government stood high, the whole £1,000,000, or nearly so, was in a short period paid into the public Treasury, and the Company then broke ground in the district of Kurnool, in the Presidency of Madras. Amongst the first works executed was that of a stone weir across the river Toomboodra. But it was found to be so faultily constructed that the Company were compelled to remove it. They made channels into which the water would not flow; because their engineer appeared to be ignorant of the fact that water would not run up a hill. No blunders of this sort were, however, allowed to transpire. On the contrary, it was stated from the very commencement that these works were proceeding in a most favourable manner. He (Mr. Smollett) had long taken a great interest in works of irrigation in India, and from the beginning he had not hesitated to express the opinion that those particular works would come to grief. He had believed that the project was a great swindle, and he now knew it. On the 22nd February, 1865, he asked Sir Charles Wood, the then Secretary of State for India, how the Company was progressing; and the reply he received was that the Company were carrying on their works prosperously, having expended about £700,000, and dug channels and irrigation works extending sixty or seventy miles. Sir Charles Wood added, however, that he regretted to state that as yet no profits had accrued—there never were any profits from this sort of works—but that he still had every expectation that the money advanced by the Government would be recovered, for he was credibly informed that there were 10,000 acres of land then under irrigation. In 1866 Sir Charles Wood was pitchforked into the House of Lords, and his mouthpiece in this House was the hon. Member for Halifax (Mr. Stansfeld) who was then Under Secretary for India. He (Mr. Smollett), put a number of questions to the Under Secretary upon the subject; but when a man had a very shaky case he was generally very taciturn in answering Questions; and the hon Member for Halifax, who was a perfect master of fence, gave the shortest and most curt replies. On the 11th May, 1866, the hon. Gentleman stated that the works were going on successfully; that £200,000 had been advanced by Government in interest; that the total sum expended had been £1,214,000, but that there had been no profits. The 10,000 acres of land, of which so much had been said fifteen months before, had vanished. From the terms of this Answer he felt persuaded that something was in preparation, and he was not deceived; for, on the following day, a notice appeared in *The Times*' City article, that this prosperous Company had entirely collapsed. Astonished at the announcement, he asked the hon. Member on the 15th of May whether the statement was true, and he replied that it was perfectly true. The Company had announced that they were not prepared to advance the second £1,000,000, on the faith of which amount being forthcoming the Government had given the guarantee on the first £1,000,000, and that they could not sell a single share in the City. They, therefore, requested that they might be aided from the public purse to carry on their joint-stock speculation. The Secretary of State for India, finding himself in this unpleasant predicament did the best he could under the circumstances. He offered, in lieu of a guaranteed stock, to give the holders of this security £1,000,000 of Government paper, with 5 per cent interest, if the Company would hand over to the Government of India the works which nominally belonged to them, but which had really been executed with public money. But those crafty gentlemen declined to accept that offer. And why? Because the chairman, the directors, and the secretary were well-paid officers, and they knew they would have lost their salaries if they had assented to the transfer. They therefore declined to do anything of the kind, and again demanded to be subsidized with cash. The Secretary of State foolishly yielded to their demand, and the Under Secretary informed the House on the 15th May that a contract had been signed that afternoon before he came down to the House, by which the Government undertook to find £600,000 of the public money for the support of this private adventure, from which the shareholders were to derive 25 per cent profit, and the Government to get nothing. It was a very strange proceeding, to say the least of it. The money was to be advanced in the shape of debentures for five years, at 5 per cent interest, secured upon works which up to 1865 had not returned 1*s.* profit; which had yielded no receipts up to the present time, and which, from private accounts he had received from Madras, he believed never would return a profit. He would undertake to say that if the Secretary of State had advanced £600,000 on debentures to the London, Chatham, and Dover Company, financed by Peto, Betts, and Co., he would have made a better speculation than in advancing the money to the Madras Company. The reason the Secretary of State for India was able to do those things was because that House took no interest in the finances of India. Those things were done in secresy and silence. This was a gross job. It was perpetrated on the very day the Question was to be put to the Secretary of State, and it was only known to the country when the jobbery was consummated. By the end of 1871 no less a sum of public money than £2,250,000 would have been advanced upon this private adventure. The Government had become responsible for £1,000,000 sterling. They were paying 5 per cent, interest on this sum, which would amount to £600,000 at the end of 1871, and by that time they would have besides advanced £600,000 on debentures secured on works that do not yield 1*s.* profit. The Resolution he intended to propose would stigmatize that transaction. He would now turn to the East India Irrigation Works, the twin adventure with the Madras Works. The East India Irrigation Works were certainly in a better category than the Madras, because some effort was made to start it on the principle of a real and *bonâ fide* joint-stock company; 50,000 shares of £20 each were taken, making a paid-up capital of £1,000,000. Of that sum about £740,000 had been expended in works, and £150,000 had been spent out of capital to pay interest on advances for calls made to carry on the works. It was, however, unguaranteed; and unguaranteed works had always a shady look on the Stock Exchange. Monied men disliked amazingly enterprizes which it was said would yield 100 per cent per annum, and consequently the stock had always been at a small discount. The discredit of the stock gradually increased till 1866, when it reached 25 per cent, at which price he believed it was in the market in May, 1866. On the 15th May—the funds of the Company exhausted and its credit shattered—he (Mr. Smollett) enquired of the Under Secretary of State what arrangement he proposed to make with the adventurers? In reply, the hon. Member for Halifax explicitly stated that there was not the smallest intention on the part of the Secretary of State either to purchase the works or to supplement the Company with Government money, and for the obvious reason that it was an unguaranteed company. From the terms of that Answer he believed that the Company would be left to stand or fall according to its own resources, or he should have brought the matter before the House, but he was deluded and befooled. Twelve months after there was a new Government, and a new Secretary of State for India came into office, who was as unscrupulous in dealing with the finances of India as his predecessor. He (Mr. Smollett) found that an offer was made by the Government to purchase the works; not at the price they bore in the market, but at 25 per cent above it, and when that was not accepted, a negotiation was entered into for granting a sum of money to this Company, in the same manner that was adopted in the case of the Madras Company. The offer was made in this way. It appeared that on the 16th of May, 1867, the Governor General wrote from Simla a despatch, which was signed by every member of his Government. In that despatch Sir John Lawrence stated that he had never concealed the fact that he looked on concessions granted to private parties for irrigation purposes as mischievous; that they gave rise to the greatest complications. Unless the Government had an absolute control, it was impossible to carry on the works. He had supplied the Company, he said, with upwards of £100,000, otherwise the works would have come to a perfect standstill, and the establishments have been dispersed over the country. The time, Sir John Lawrence said, had arrived when something should be done in the matter; and as the Company was in a state of utter ruin, having no credit in India or England, he thought the opportunity was favourable for the Government to propose mutually advantageous terms with them. Sir John Lawrence's proposition was that the Secretary of State should endeavour to purchase the stock at par, and give the directors £50,000 by way of bonus, to enable them to wind up creditably. That, in his opinion, was a munificent offer. It was, in fact, an offer to put £250,000 into the pockets of the shareholders, with £50,000 more if they accepted the offer. The letter containing the proposal came to the India Office towards the close of last year, and he would do the Secretary for India the justice to say that he appeared to have acted with a great deal of forethought and honour in that particular instance. The right hon. Baronet kept the despatch a profound secret, thus preventing the jobbing which might have occurred on the Stock Exchange (at that time the stock was at 25 per cent discount), and he only communicated the offer to the public through the medium of *The Times* newspaper on the 18th or 19th of November. The effect was electric. The stock immediately jumped up to par, which was tantamount to putting £250,000 into the pockets of these adventurers. Surely the munificent offer of the Government ought to have been accepted with gratitude, and accepted as it would have been, if the right hon. Baronet the Secretary of State for India had had the courage of a mouse, and had declined to enter into negotiations with these adventurers—if he had told them, "This is our offer; it is the only one we will make, so you may make up your mind." Had he done this, they would have accepted the offer. But Parliament was sitting at the time, and the right hon. Baronet entered, unfortunately, into negotiations with the directors. Public and private interests were brought to bear upon the right hon. Baronet, and no doubt a great deal of "lobbying" went on. Afterwards the right hon. Baronet was induced to give way and to offer other terms which he will possibly explain to the House—terms which the Company consider more advantageous to their interests than an absolute purchase. Independently of any public or private pressure, letters were inserted in the public prints setting forth the claims of the Company to compensation. On the 13th of January a letter appeared in *The Times*, from the practised pen of a gentleman who was supposed to exercise a great deal of influence in Indian matters, and who was known in Manchester as a great authority upon all matters connected with irrigation and the spending of money—he meant General Sir Arthur Cotton. That letter was written in a tone of arrogance which deserved exposure; and he would endeavour to expose it. The munificent offer of the Government was actually denounced by General Cotton as a conspiracy to defraud the noble band of adventurers of the profits to which they were legitimately entitled—as a plot, boldly contrived to drive away all interlopers from India, and to reverse the policy inaugurated by Lord Canning. Now, who was the arch plotter; who the base conspirator?—why, the Governor General of India, a man whom Sir Arthur Cotton spoke of with scorn, describing him as the last possible Viceroy of the "Old Indian School." Sir Arthur Cotton proceeded to assail the Indian Secretary and his Council in similar terms of abuse; he spoke of them as worn-out and contemptible functionaries, whose existence could not be prolonged beyond the present spring; men who must be forcibly removed and their places filled by gentlemen whom he almost designated gentlemen of the "Young Indian School," men who looked up to Sir Arthur as "their guide, philosopher, and friend." God protect an office filled with pupils of Sir Arthur Cotton! And why was all this vituperation levelled at Sir John Lawrence? Simply because that high functionary had made a suggestion which had had the effect of putting £250,000 into the hands of the shareholders. This was the head and front of his offending. But Sir Arthur knew well the faint-heartedness of the Home Government of India. The gentlemen of the India Office quailed under his castigation. They kissed the rod he had applied so mercilessly to their posteriors, and they gave these adventurers better terms than the Governor General had proposed. Acts of such great impropriety and injustice ought not to be tolerated. He had shown that works that were brought forward as calculated to pay cent per cent had not yielded anything for the last five or six or seven years, and that they were brought forward in the first instance under false pretences. He had also shown, in the course of his speech, that the first works, which were declared to be works brought forward by private enterprize, had cost the Government £2,250,000, for which they had no security but the works themselves, which were either valueless or were works from which, if they should ever prove remunerative, the private adventurers would receive dividends at the rate of 25 per cent, while they had been constructed without the expenditure of a shilling raised at the risk of the speculators. With reference to the East India Irrigation Works the offer to purchase stock at par had never been withdrawn; and probably, at no distant day the Government would take the works at that or at a larger price. He thought these were acts of great impropriety, and therefore he should move the following Resolution—not an abstract one, but one which went direct to the point:—

> "That, in the opinion of this House, the advance of £600,000 of public money on loan to a private company of adventurers styling themselves the Madras Irrigation Company, granted on the 15th day of May 1866 for their sole benefit, and likewise the offer of a large loan on similar terms announced by the Secretary of State on the 20th day of February last as contemplated to be given to the East India Irrigation and Canal Company, are acts of impropriety, are mischievous in policy, and should be discontinued."

He offered that Resolution, not in the spirit of party or of faction, but in the interest of honesty and straightforward dealing, of which he saw very little in the conduct of these adventurers. He offered it also to protect the just power of the Governor General of India, whose suggestions and recommendations had been set aside to suit the private policy of these people; and he proposed it in the true interests of the India Office, which was surrounded by jobbers, from whom the Council of the Secretary of State were unable to free themselves, and whose importunities they could not resist.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the advance of £600,000 of public money on loan to a private company of adventurers styling themselves the Madras Irrigation Company, granted on the 15th day of May 1866 for their sole benefit, and likewise the offer of a large loan on similar terms announced by the Secretary of State on the 20th day of February last as contemplated to be given to the East India Irrigation and Canal Company, are acts of impropriety, are mischievous in policy, and should be discontinued,"—(*Mr. Smollett,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR STAFFORD NORTHCOTE said, he regretted that the hon. Member had changed the terms of the Resolution he had placed on the Paper. He regretted that the hon. Member had done so without giving notice of his intention to call attention in such a specific manner to the transaction which he had in the first instance referred to—namely, the loan of £600,000 to the Madras Irrigation Company. He regretted it the more because the hon. Member for Halifax (Mr. Stansfeld) was not in the House, and he had some reason to believe that that hon. Gentleman was under the impression that this particular transaction was not to be called in question.

MR. SMOLLETT said, he had acquainted the hon. Member for Halifax with his intention of bringing in the matter under the notice of the House.

SIR STAFFORD NORTHCOTE said, that if that were so it was not his hon. Friend's fault that the hon. Member for Halifax was absent. He (Sir Stafford Northcote) could only say that he was less able to give an explanation of the transaction than the hon. Member for Halifax, under whose authority and that of Earl De Grey and Ripon the loan was made; but he believed that the circumstances were substantially as follows:—The Madras Irrigation Company was originally established as a company guaranteed by the Government. It was formed for the purpose of undertaking a work of very great importance to the interests of India, and the House should bear in mind that the work performed by these Irrigation Companies ought to be measured, not by the amount of the return they immediately produce, but by the amount of the benefit they confer on India by the accomplishment of works of an important kind for the improvement of agriculture and the better sustentation of the people. That was a point which the hon. Member for Dumbartonshire (Mr. Smollett) had too much overlooked. Now, looking at the matter from this point of view, it was not so necessary for the Government to ask whether this or that work would be immediately remunerative, as it was to ask whether it was a work which it would be desirable to encourage, for the general interests of the country committed to their care. There could be no doubt that it would have been well worth the while of the Indian Government to incur considerable loss in the direct pecuniary expenditure, for the sake of accomplishing great works which would be advantageous to the country. No one, for instance, would have found fault if the Government of India had undertaken to construct canals and irrigation works out of the public money, in the same way that they had constructed roads, for the general benefit of the country; and no one could doubt that those works would, in the long run, be extremely remunerative to the Government and to the people of India, though it was quite possible they might not realize the sanguine expectations of those who undertook them. He supposed, however, that the House had no desire to enter into a discussion of the merits or demerits of works of irrigation; for he believed all who had paid attention to the subject concurred in admitting the advantages arising from them. The only question for consideration, therefore, was the best means of carrying out such works. As the hon. Member for Dumbartonshire (Mr. Smollett) had truly remarked, this Company was established in 1858, under the auspices of his noble Friend the then Secretary of State for India; but he believed that, in point of fact, the system dated from a somewhat earlier period, and that it was under the old Court of Directors that the first Resolution was passed to the effect that works of this kind might be entrusted to a private company. As the House was aware, the finances of India were frequently overburdened by the claims upon them, and great difficulty was experienced in finding money out of the taxation of the country for carrying on works which were not likely to be immediately remunerative; and it was felt that, if irrigation was to be carried on on a really satisfactory footing, it would be desirable to introduce private capital and private enterprize into India, for the purpose of executing works, which would certainly be advantageous to the people, and which might be profitable to the individuals who undertook them. This Company was therefore formed by gentlemen who looked, no doubt, to a large remuneration from the capital they were about to expend, but who, he thought, had also other and higher objects, as they believed they were undertaking a work which would tend to the advantage of a most important portion of the population of India. They advanced a sort of moral claim on the Government for such assistance as the Government could give them. They asked for a concession and for a guarantee. It was not his present duty to discuss whether the Government were right in giving them that support or not. Under all the circumstances, he hardly ought to say that the Government were wrong, though he confessed that his own opinion, formed on a good deal of experience during the last few years, was decidedly against the system of granting guarantees. Under such a system, if the works turn out very profitable, the company have all the advantage; while, on the other hand, if they prove unprofitable, the Government have to bear the loss. That was the *rationale* of the system of guarantees, which he should be glad to see either restricted or abolished. When, however, this question was brought forward in 1858, experience had not been acquired in respect to the guarantee system, and the Government had then to consider the mode in which they could best facilitate the object of bringing private capital and enterprise into India. They were told that if they gave a guarantee it was probable that the works would prove so profitable that other companies would follow the example of this, and would, without guarantee, bring private money into India and be able to execute these great works of irrigation. In this respect he believed the scheme was not unsuccessful, for it was in consequence of this Company having begun to work, and having at first held out encouragement to the public, that the second undertaking referred to by the hon. Gentleman was set on foot without any guarantee. And certainly we owed to the gentlemen who took part in the formation and promotion of the twin Companies a debt of gratitude for the exertions they made in raising a sum approaching £1,000,000 of capital without any guarantee on the part of the State. We are also bound to acknowledge our obligations to them for the character of the work they had accomplished in Orissa, and, he believed, in the Madras Presidency; for the two Companies were, in fact, one, although it had two distinct and unconnected undertakings. After the Company had commenced their works and carried them on to a certain point, they made the unfortunate discovery that they had not capital enough to carry them on further in a proper manner, whereupon they asked Lord Halifax (then Sir Charles Wood) for assistance; but he declined to sanction an alteration which they wished to introduce into the terms of the guarantee. Subsequently, however, Lord De Grey and Ripon consented to advance them a loan on the security of their works, which were admitted to be good and well-executed works as far as they went. In taking the works as a security the Government were of opinion that they were making a very good bargain. Indeed, if the Government had not done so they would have been placed in a position of great difficulty. They had undertaken to guarantee the Company, and were paying interest; and the question was whether they were to be relieved from the payment of that interest. It was clear that the Government could not be relieved till the Company made profits; and it was made clear to Lord De Grey that the Company would not make any profits without further assistance from the State. Lord De Grey therefore thought it was for the interest of the Government that he should advance the loan. On this point, however, the hon. Member for Halifax would be better able than he to give an explanation. He (Sir Stafford Northcote) believed Lord de Grey had exercised a sound discretion; and he felt sure the hon. Member for Dumbartonshire did not mean to impute anything like jobbing or improper conduct to his Lordship or to the hon. Member for Halifax. With regard to the other undertaking, and the transaction in which he (Sir Stafford Northcote) had been himself engaged, it was of course due to the House, after the statement of the hon. Gentleman, that he should offer an explanation. The second undertaking was divisible into two. There was an undertaking by the Company, called the East India Irrigation and Canal Company, to irrigate a portion of Orissa, and there was the further undertaking to irrigate a portion of Behar. Now, the hon. Gentleman had lost sight of an important element in one part of the transactions—namely, the concessions made to this Company with regard to the irrigation at Behar. While objecting upon principle to Government guarantees generally, he particularly objected to guarantees in the matter of irrigation works; because, by allowing a company to undertake them, Government exposed itself to difficulty and embarrassment, and it was the duty of Government to keep them in its own hands. Otherwise, difficult questions bearing upon the land revenue, the condition of districts irrigated, and the relations between ryots and landowners and between landowners and the Government, were infinitely complicated by the obligation of Government towards an irrigation company. Any one who would follow up the matter would see that it was almost impossible satisfactorily to work a system of irrigation in a large district—especially in one in which there was no permanent settlement of the revenue—by means of a company. The questions raised, such as who was to have the control of the water, what was to be the price fixed, and what were to be the stipulations with the Zemindars as to the alteration of the assessment, were in themselves so difficult and involved such delicate considerations, that it almost amounted to a dereliction of of duty on the part of Government to give up the control of an irrigation system to a company, and particularly to a guaranteed company. He meant no disrespect to the Company in question by expressing these views; and his great regret that that Company had obtained the concessions and the position it had obtained in Orissa and in Behar, and more particularly in Behar, because the Company had the exclusive right to irrigate a very important district, and they had not the means of doing it. They simply kept others out, and prevented the Government from undertaking the works. The Company, having obtained its concession, laid out a large sum in works which had been warmly approved by the authorities and by the independent investigators of the Orissa famine, which was, no doubt, locally mitigated by the works, while the Company's officers behaved with great liberality and did much to alleviate distress. These facts, and the necessity of finding some employment for the people of Orissa, at the time of their suffering, were the occasion of the advances to which the hon. Member referred. Having been told in the House that the Company was not to be assisted, the hon. Member seemed to think he had been deceived by the Secretary of State, and his council; and he seemed to think that that was owing to some proceedings on his Sir (Stafford Northcote's) part, but the advances were made by the Governor General in India without consulting the Secretary of State, and it seemed to him that they were rightly made, seeing that there was a means of profitably expending the money. If employment had not been provided in this way it must have been done by setting the poor to dig holes one day, and fill them up the next. It appeared to him that having the machinery ready to hand for the profitable expenditure of money the Government were quite right in so laying it out. Accordingly, about £120,000 was advanced on the understanding to which he had referred. When the Company were asked to undertake the work they said they were ready enough to spend the money, but they did not wish to make the additional outlay on their own account. They, in fact, found that their water was not taken so rapidly as they expected, and that their works were not producing a profit; and therefore it was not in their power, in the then state of the money market, to go on with their works. They, therefore, proposed to lie on their oars, and wait till the works which they had executed began to be profitable, when the public would come forward and provide the funds necessary to complete the works. The Government said that might be perfectly legitimate on the part of a company, but it did not at that time meet the wishes of the Government, who could not wait; and it was under these circumstances, and looking to the circumstances he had mentioned, that the Governor General wrote the despatch the hon. Member had referred to. This brought up the history to the point at which it became the duty of the Secretary of State in Council to act. The Governor General had written an elaborate despatch, pointing out that the Company had failed to realize the great profits they had looked forward to, referring to the complications that had arisen between the Company and the Government, and proposing to buy up the interests of the Company, not at par, but in 5 per cent stock, which was then at 110, terms which would have been the means of increasing the value of the Company's stock considerably more than the 25 per cent which the hon. Member had spoken of. That despatch came into his (Sir Stafford Northcote's) hands, and the Council decided that it would be right to offer to purchase the Company's works; but that conclusion was not come to without much hesitation, and after full consideration of all the circumstances he had stated. The Government felt that it was important for India that these works should be carried on, though the Company had not the means of carrying them on with activity and success; and her Majesty's Government resolved not to entertain the question of a guarantee. There was such great force in the argument of the Governor General, as it related to the works that were not completed in Behar, that they would have been prepared to offer almost any terms to get them into the hands of the Government; but with regard to Orissa it was of less importance to the Government to purchase the Company's rights because a considerable amount of work had been actually executed. On careful consideration of the whole question, they came to the conclusion that the terms proposed by the Governor General were excessive. The hon. Member had said that the Secretary for State was—he would not repeat the elegant expression of the hon. Member—but he was weak, and his council was at the mercy of jobbers and speculators, and that they had made an extravagant and improvident bargain. But looking to the Correspondence, which was in the hands of the public, he could see no evidence whatever to support such a charge. The Governor General proposed the purchase on certain terms. The Government determined not to offer those terms but lower terms. They said, "We will give you the amount which you have expended, and £50,000 over." It was said that the stock of the Company was at a large discount, and that those terms were therefore unreasonably high. But it should be borne in mind that the Company had *bonâ fide* raised this money, that they had expended it in good work, and that, though it was not now profitable, the Government had reason to believe that when the system was completed it would become profitable. They, therefore, thought it fair to give back to the Company the whole amount they had expended, with a certain sum over and above to compensate them for any inconvenience which might result from parting with a portion of their establishment, and in consideration of any just claims they might have arising from the expectation of future profit. There was no doubt that, as far as they had gone, the Company had done a good work for India; though whether they had done a good work for themselves was another question, into which he would not enter. Having made this as a final offer, after full consideration, the Government thought it right to make known on the same day, through the public Press, before even the directors had received the official communication, the nature of the offer that was made. The effect was that the shares, which had been at a discount, rose to par; but he was told that this was nothing more than a nominal quotation, and that, pending the proceedings, little or no business was done. It had been stated that the offer of the Government was not favourably received by the Company. He did not know whether it had been refused or not; but he had heard that the offer was received at the meeting of shareholders as not only unsatisfactory but insulting. Indeed, quite as strong language as had been applied to him by the hon. Member (Mr. Smollett) had been applied to him by the shareholders. He had received letters from various persons, in which he was accused of a desire to "rob" the shareholders; and he did not know what motives had not been imputed to him, or what language had been used to describe his "audacity" in making an offer which the hon. Member had fairly admitted to be very liberal. He was told, "You know the position of the Company, and you are going to take the profits out of our mouths and transfer them to the Government." The directors had been instructed to ask the Government to alter the terms; but the Government had always refused to do so, and would not give a guarantee. But they also said that they neither had the means nor the wish to force the Company to sell to them; that they made the offer from no feeling of ill-will or wish to disparage what had been done by the Company. There, however, was the fact—while in Orissa the Company had done a good deal, in Behar they had done nothing; and it was the duty of the Government, for the interests of the people of India, to carry these works on either themselves or through others. If the Company were able to carry on these works, let them do so; if they were not able, the Government were prepared to complete them, and it was their duty so to do. In Orissa the Company might possibly be able to carry on the works; but in Behar there really seemed no chance of their being able to raise money and carry on the works for a long time, if at all. Meanwhile, here was a large and important district from which the Government was excluded because this Company had got a concession which they could not use. Under these circumstances the Government said, "If you will give up the Behar works we will make no further proposal respecting Orissa; but we will assist you to complete these works by lending you £500,000, at 5 per cent, upon the security of the works." Now the works had cost £700,000 or £800,000, and it would be a condition that the loan of £500,000 should be further expended upon the works. If the Company were to make default in payment of the interest or in re-payment of the principal, the works would, no doubt, be a perfectly good security for the advance. But, so far as he had been informed, the directors did not consider these terms acceptable, and thought it would not be reasonable that they should give the works as security for the loan. In that case, of course, it was for them to refuse the loan. A meeting was to be held very shortly, and then the proposals of the Government would be considered, and they would receive a final answer. Meanwhile, it was right that there should be no mistake. The Government had made an offer which would still hold good as far as the Indian Council was concerned; they had never varied the terms of the offer, and did not intend to do so. It would be for the Company to consider whether these terms were fair, and, if not, what course they would take; the Government, recognizing in them fellow-workers in the performance of a most important duty, had no wish to interfere with any fair profits they might derive from works which they undertook, no doubt, as much from patriotic motives as from a wish to make a good investment. But he was sorry that the Government had ever entered into engagements with private companies. If they had kept these works of irrigation in their own hands they would have avoided great complications. For a length of time, however, the Government had great difficulty in finding money to carry on such works. It was not easy to extend taxation in India, and it was only lately that the Government had adopted a decided policy in borrowing money for works of this kind. Now, money would be borrowed freely for works which could be shown to be of a good, substantial, and profitable character; and he earnestly hoped that, whether through their own agency or that of others, this great and important field of labour would be properly cultivated. He had no wish on this occasion to trespass further upon the general question which the hon. Member for Perth (Mr. Kinnaird) proposed to raise hereafter, in connection with works of irrigation. He would only say with regard to the Motion that he hoped it would not be pressed. It was one which would be delusive in its character, and probably the object of the hon. Member would be sufficiently attained by the discussion which it would elicit.

Mr. KINNAIRD said, that they had been accustomed in that House to some of the older Members, such as the late Colonel Sibthorpe, assuming a certain licence of speech, and using sometimes offensive expressions in which none of the other Members indulged. But he was surprised at the repetition of this by the hon. Gentleman opposite (Mr. Smollett), who had employed language in that discussion which it was hardly proper to use in that House." The hon. Gentleman had talked of "adventurers;" and had said that the Madras Irrigation Company was "a great swindle." Upon reflection, he would, he was sure, regret that he had been led into the use of such language. The hon. Member had also attacked by name the noble Lord the Member for King's Lynn (Lord Stanley) who was then Secretary of State for India, and under whom the scheme of irrigation had been carried out. But the House knew very well that of all those who were engaged in the conduct of administrative Departments under the Government of Lord Derby there was none more able or more painstaking than the noble Lord who was then Secretary of State for India; and he (Mr. Kinnaird) believed that the noble Lord retained now precisely the same opinion, which he held when in office, as to the wisdom and propriety of promoting works of irrigation. The immense advantage of these works was not so generally admitted at that time as it was now, and therefore the noble Lord deserved the greater credit for what he had done. Was it a proper thing, then that the Gentlemen who had forwarded these works should be accused of "lobbying?" He hoped the House would not treat those who had done such service to India in the spirit the hon. Member had done. And were they going to refuse any guarantees for irrigation works, after all the millions that had been advanced in spreading railways over India, and when everyone acknowledged now that under no other system than that of guarantees could India have been so effectually and speedily covered with those great works? The hon Member had read an extract from a despatch of Sir John Lawrence, from which he had made it appear that the Governor General undervalued the works in question; but he (Mr. Kinnaird) would like to read two extracts which would show that the contrary was the case, and that in the frightful famine which came upon Orissa it was the Governor General who made the first offer to the Irrigation Company. And what did the Commissioners' appointed to inquire into the causes and extent of the late famine in Orissa report, and especially Mr. Campbell? They bore testimony to the admirable nature of the Company's works, and to the fact that if such works had been earlier attended to, the loss of nearly a million of lives during the famine would never have occurred. The Governor General, in the despatch to which he had referred, said—

> "You are aware that, notwithstanding the strong opinions which we hold as to the inconvenience of the arrangement that has been entered into with the Company, it has been our earnest wish to do all in our power to facilitate the operations of the Company, and to act fully up to the spirit of any actual, or implied engagements entered into with them in past years. If it be necessary to adduce any distinct proof of this disposition on the part of the Government of India, we would refer to our recent resolutions to intrust to this Company the execution of the Soane Canal project, and to make grants of money to aid in the construction of the works in Cuttack, the Company's funds having proved insufficient to secure their prosecution with that activity which, in the altered condition of this province, we deem so desirable. And we may assure Her Majesty's Government that it will continue to be our desire to act in this same manner so long as the present arrangements between the Government and the Company shall be maintained.
>
> "But the terrible calamity which has recently fallen on Orissa and Western Bengal has forced upon us the consideration of the question, whether we can any longer with propriety permit the existing arrangements to continue in force, if it be possible to induce the Company to give up their right under their contract.
>
> "We entirely disclaim the intention of making any reflection on the Company for the manner in which their operations have been hitherto carried out, or for the mode in which they have raised or

applied their capital. It is incontestable that a large sum has been raised and spent, and it is even probable that had the Company not come forward, the Government would, up to the present time, have done much less than has been done towards the construction of irrigation works in Cuttack. But the position of the Government with relation to the execution of irrigation works has, within the last year, become entirely changed, and our business is no longer with the past but with the present, and the immediate future, and it is impossible for us to avoid the conclusion that, for the reasons we have above given, the means of the Company henceforth will not only be relatively far inferior to those of the Government, but absolutely insufficient for the real necessities of the country."

And as to the nature of the works the Governor General said—

> "We may mention, however, that the works have been visited by Colonel Morton, R.E., an officer of great experience in irrigation works, and also by Colonel Nicholls, R.E., the Chief Engineer of Bengal. Both these officers and also Mr. Crommelin, the Superintending Engineer in the service of the Government at Cuttack, agree in stating that the works are good. These statements have not been made on any critical examination nor in any official Report; but we are satisfied that, in a general way, they are correct. In the same way we learn that in point of actual cost—that is, of the actual outlay upon the works themselves—they are cheap. So far, then, we have some grounds for believing that the Government would not pay any extravagant sum in taking over the works as proposed."

The Governor General, therefore, it would be seen had spoken highly and fairly of the Company's acts, and on the authority of two engineers had stated that the works were cheap; and yet the hon. Member had thought proper to denounce them in the strongest possible language. The hon. Gentleman was surprised that at a time of great commercial distress an enterprize of this kind had not paid, and he seemed to expect that the works should be remunerative the first year. But everyone knew that until irrigation works were complete they could not fairly be expected to be so. The right hon. Gentleman (Sir Stafford Northcote) knew that the whole thing was done openly and above-board. He would not enter upon the other topics adverted to by the hon. Member except as to one point. The hon. Gentleman had been pleased to speak in a way which was derogatory to Sir Arthur Cotton. But it was well known that Sir Arthur Cotton was a man of great practical ability, as well as that he had great enthusiasm in the work of irrigation; and unless great enterprizes were taken up by men of sanguine character they were not likely at first to be prosecuted successfully. Sir Arthur Cotton had been honoured by his Sovereign for having been one of the first who had directed attention to the necessity existing for these great works of irrigation, and the House would, he was sure, regret if, when such a man was attacked, no one had risen to defend him from false aspersions. Sir Arthur Cotton was perfectly unconnected with the company, he did not hold a share in it, and if he took an interest in works of irrigation it was solely because he was sensible of their great value in such a country as India.

Mr. J. B. SMITH said, he did not agree with the hon. Gentleman opposite (Mr. Smollett) in his views on the subject of irrigation. On the contrary, he believed that such works would be alike profitable to the Government and beneficial to the people of India. He had always contended that works of irrigation ought to be undertaken solely by the Government, and not by private individuals or companies. His reason for holding that opinion was this:—The land in India belonged to the Government, and the number of tenants on the land to be irrigated was very great. It was therefore impossible to collect the water rates except by the instrumentality of the Government, and as these works yielded great profit the Government were acting as agents for, and were collecting large sums of money merely to hand over to private individuals. What he had long complained of was the dog-in-the-manger policy of the Government — namely, that they would neither execute the great irrigation works, which were so necessary to the welfare of India themselves, nor allow others to do it. At length, however, the noble Lord the Member for King's Lynn (Lord Stanley) made the experiment of granting a great work to the Madras Irrigation Company, and he was disposed to think that, at the time, this was a judicious course, as it afforded the opportunity of comparing the system of private works and Government works. He congratulated the right hon. Baronet the Secretary of State for India on the conclusions at which he had arrived —namely, that the construction of works of irrigation were of the highest value and importance to the people, and profitable to the Government of India—that it is most advantageous to both that they should be executed by the Government; and that for this purpose they should abandon the uncertain policy hitherto pursued of making reproductive works out of surplus revenue instead of raising public loans for this specific object and carrying out the works with as little delay as possible. This he (Mr. J. B. Smith) believed to be a sound course, and it was the one which he had advocated in that House during the last fifteen years.

Amendment, by leave, *withdrawn.*

## CONDITION OF CEYLON.

### MOTION FOR A SELECT COMMITTEE.

MR. WATKIN then rose to move for the appointment of a Select Committee to inquire into the condition of Ceylon and the action of its Government. He hoped for the forbearance of the House, as Ceylon was not a very popular subject; but if he wanted any reason for asking the House to agree to this Inquiry, he would find it in the fact that the population of the country, if the Government Returns were to be trusted, had been reduced from 2,300,000 in 1863 to 2,000,000 in 1866, and this in the face of the other fact, which also appeared in these Returns, that there was an increase of births over deaths, which would show that the decrease was owing to emigration. When this question was brought forward on former occasions, the reply of the Colonial Secretary was that the island ought to be annexed to the continent of India. It was only a few years ago, however, that this question was fully discussed by a Committee of the House of Commons, and they came to the unanimous opinion that the circumstances of India and of Ceylon were so different that it would be highly inexpedient and unjust to annex the one to the other. The particular reasons he had for bringing this question before the House he might very shortly sum up. The Chamber of Commerce at Colombo and the Planters' Association at Kandy, both of them influential bodies, had requested him to take the matter up, as representations had been sent from the inhabitants of Ceylon, strongly backed up by the Press, unanimously urging that their grievances should be inquired into, and those representations had not been treated with respect. They did not ask the House to interfere until they had for many years vainly asked the Colonial Office to do them substantial justice. For the last ten years scarcely two had passed without memorials having been sent over from the Legislative Chamber, signed by official and non-official members alike, and often supported by the Governor, asking that they might have that control over the public works, and over the income and expenditure of the island, which was promised them in 1848 by Earl Grey, who stated that the time had come when full control over the expenditure should be given to the Council of Ceylon, and promised at the same time that a despatch should be sent out, laying down rules with reference to the taxation, the military expenditure, and other subjects of complaint. It had been said that the whole of the complaints arose from the desire of the colonists to shirk their fair share of colonial military expenditure, and to expend their whole income upon local purposes, leaving the defence of the colony to be defrayed out of Imperial taxation. He was sure that the right hon. Gentleman would not to-night use, or repeat any such argument. In justice to the men whose energy and enterprize had built up that noble dependency, he was sure it would not be urged by the right hon. Gentleman that their grievances were only traceable to the mean selfishness of seeking to avoid the payment of the military expenditure of the colony. On this subject he would read a letter from a gentleman who was formerly a Member of the House, and who was well known for his solid judgment and his intelligence (Sir James Elphinstone), who had large interest in Ceylon. In that letter he pointed out the necessity for railway extension and for a revision of taxation, and expressed a hope that he (Mr. Watkin) would persevere in his Motion for a Committee. Sir James stated that the colonists did not object to pay for a sufficient force for the protection of the island; what they did object to was that Ceylon should be treated as a garrison for Imperial purposes, and that they should have to support that garrison on a scale far beyond what was required for the purpose of internal or external defence. That they were denied a line of railway into the coffee districts, and that the rates on the railways now open were too high; a large duty was laid upon rice, which was the staple food of the people, and the taxes on land were so levied as to act as a discouragement to agriculture. In addition to this, Ceylon was called upon to maintain establishments at Galle and at Trincomalee which were for purely Imperial purposes. The disparity of numbers between the European and the Native population was no reason for witholding local self-government, since it was on the former that the prosperity of the island mainly depended. He felt assured that the House would weigh the strong opinion of Sir James. In the last three years there had been great depression. He did not mean to contend that that depression arose from causes all of which were under Government control. There had been great deficiencies in the crops; but most of the depression was caused by an injudicious system of taxation, and by incompetent government and Governors. Ceylon was the only country in the world where the greater portion of the revenue was raised from taxes on food. Now, taxing food in Ceylon was like taxing raw material — wages to a great extent were paid in food, and anything which advanced its price diminished produce and crippled industry. One-fourth of the revenue of Ceylon was derived from the tax on grain alone. The production of food in the country was decreasing, and this was traceable to the land tax, and to the gross neglect of irrigation. At one time Ceylon was the granary of the East; but it had not only ceased to be so, but it could not support its own population. There was this further evil, that taxation upon Native-grown rice was to this day collected by farmers. The vices of farming taxes were well known, and they had it upon the authority of Sir Emerson Tennent that, in Ceylon, the amount of taxation levied was double that which found its way to the Treasury. Then there was the question which they had already been in another case debating—the question of irrigation. Under the old Native system, works for the purpose of irrigation were kept up almost as roads were in England, under the "Rajah Karia" system—every district being compelled to keep its own irrigation works in repair. It was true there were abuses connected with that system; and under the English rule this forced system of labour was put an end to, and the irrigation works were left entirely to the good-will and pleasure of the Natives. But the Natives had no capital with which to meet engineering difficulties, and unaided, could not combine, and hence important works were rapidly falling into disuse and decay; and from that cause there had been a falling off in the production of food of one-half or three-quarters; cultivation in some districts having in fact entirely ceased. Since agitation had commenced on this subject, efforts had been made to enable the right hon. Gentleman to say—as no doubt he would say—that Government was engaged in restoring these works. Yes, but what was the proposition by which the new system was to be maintained? It was to be met by a new tax on the food of the Natives; by increasing the burdens upon the labouring population. The unfortunate paddy-growers were already taxed to the extent of one-sixth of their gross produce. The planters of Ceylon had submitted to export duties on their produce, in order that the public works might go on with efficiency. That fertile island imported half its grain, and almost the whole of the labour employed in the cultivation of coffee; and its taxation amounted to nearly one-third of the gross produce of cultivation. He had no doubt the right hon. Gentlemen the Under Secretary for the Colonies would contend that as the revenue of the colony had increased it must be in a prosperous state. He had shown the House under what circumstances the increase had taken place, and for his part he thought that if the revenue of the colony had been diminished it would have been a better sign of prosperity than an increase, under such circumstances. Our revenue was increasing during the Russian war; and high taxation and prosperity were not synonymous. The right hon. Member for Oxford (Mr. Cardwell) the other night stated that Ceylon had the happiness to be governed by a man of the highest knowledge, capacity, and intelligence; but it should be remembered that the Governor of the island told the Colonial Office that, as far as regarded all the material parts of the complaints of the colonists, there was great foundation for every one of them. Surely that showed the case was one demanding an investigation. He knew that all official people were averse to inquiries; but he hoped the House would consider that the repeated complaints of the people, suppported in many cases by the opinions of the Governors themselves, made out a case for an inquiry. Year after year the colonists had sent home memorials, asking that the promises made them by Earl Grey, in 1848, should be carried out; year after year these memorials had been refused. Yet the colonists had never ceased to be loyal and true to the country and to the Crown. Last year Her Majesty was advised not to grant the prayer of the memorialists, and it was said that these planters wanted constitutional Government. But, in fact, they only asked for the fulfilment of the pledge which was made to them in 1848 by the Secretary of State for the Colonies. The mode of doing this they left entirely with Her Majesty. In the Governor's despatch Mr. Wall was not fairly treated.

He was a loyal and an able man, and well capable, if in that House, of pleading the cause of the island. The wishes of the colonists having been for so many years refused by the Colonial Office, they had at last come to that House for redress. Our distant dependencies, he believed, could be retained by us in a satisfactory manner only through the cultivation among their inhabitants of two sentiments — namely, first a feeling of loyalty to the Crown and Government of this country, and next a conviction that, whenever they had real grievances to complain of, and failed to obtain redress for them in other quarters, that House would at least do them the justice of granting inquiry. The hon. Member concluded by moving the Motion of which he had given Notice.

Mr. Alderman LUSK seconded the Motion.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the condition of Ceylon and the action of its Government,"—(*Mr. Watkin,*)

—instead thereof.

Mr. ADDERLEY said, that the hon. Member for Stockport (Mr. Watkin) asked that House to grant a Select Committee to inquire into the state of Ceylon upon two grounds. The first was, that certain complaints had reached this country from that island; and the second was, that the institutions of the island were decaying, and its population and prosperity were falling away, and that general misgovernment existed there. Now, as far as the complaints were concerned, they were amply discussed only four weeks ago, when the hon. Gentleman called the attention of the House to the petition which had been forwarded from Ceylon to this country. The hon. Member had not adduced any fresh complaint. Four hon. Members interested in Ceylon took part in that discussion. He (Mr. Adderley) then stated the views of the Government upon the subject, which were fully indorsed by the right hon. Gentleman the late Colonial Secretary, and the House seemed to think that no case whatever had been made out in support of the petition. The hon. Gentleman had now put forward statements of his own, alleging that the island was in a general state of decay. But he submitted that the hon. Member had altogether failed to change the issue of the discussion which had already taken place upon Ceylon. The sole ground of complaint was the military contribution which that colony had been called upon to pay. Now, the fact was, that the contributions which the colony had been called upon to make had been recommended in the Report of a Select Committee, who were of opinion that Ceylon ought to contribute towards the cost of the troops kept in that island. The hon. Member intimated that the colonists did not so much complain of the military contributions as of the number of troops. [Mr. Watkin: I said nothing of the kind.] He had certainly understood the hon. Member to say so; and of the number of troops which ought to be maintained in Ceylon Her Majesty's Government was the proper judge. It was only when Ceylon was called upon to pay the military contribution that they heard of any complaints on the part of that colony. The statements of the hon. Member with reference to the mis-government of Ceylon and the decay of the prosperity of that island were not borne out by the reports which had been received in this country upon the condition of that colony. When it was proposed to place Ceylon under the Indian Government, there was a general outcry against the proposition. The hon. Gentleman stated that the population had fallen off. Now, the fact was that it was rapidly increasing, being 13,000 more than last year. Last year the births were 48,000, and the deaths 39,000.

Mr. WATKIN said, that the colonial blue book showed that in 1863 the population was 2,342,098, whilst in 1866 it was only 2,088,027.

Mr. ADDERLEY said, that the hon. Gentleman had, perhaps, selected a year in which there was a great mortality; but the last accounts showed a great increase in the population. The hon. Member had adduced the increase of the revenue as a proof of decay, inasmuch as he attributed that increase to the imposition of new taxes. The truth, however, was, that it was due to no such cause, but to the growing prosperity of the colony, for the taxes there remained the same as those which had been levied for the last ten years. The next complaint of the hon. Member was that the Government had unwisely interfered with the railway speculations of the colonists, and prevented railways being made into the coffee districts; but that, too, was a statement which was not supported by the facts of the case. When it was shown that the state of the funds for making the railway referred to was satisfactory, it was sanctioned by the Government. The hon. Gentleman also complained that large taxes were levied upon rice grounds; but these taxes had been brought under the consideration of the Government, who had ordered that an inquiry should take place with a view to ascertain whether a reduction in them might not be effected. The tax upon rice was a tax per bushel, and therefore the increased produce of the tax showed an increased production. [Mr. Watkin: The tax is in proportion to the value.] The tax had not been altered. The question whether the naval stations for the purposes of the colony should be maintained at the cost of the British taxpayer he did not think it necessary to discuss. He had frequently heard the hon. Gentleman complain of the burden thrown upon the English taxpayer to maintain such stations for colonies, many of which were richer than England. Why should not the people of Ceylon bear their share of the taxation of the Empire? Was all the expense of the Empire to be borne by a particular part of it? [Mr. Watkin: Certainly not.] Under all the circumstances of the case, he did not see any good that could be derived from granting the proposed Committee. Since the Report of the Military Commission in Ceylon, the colonists seemed to be perfectly satisfied with the terms which had been come to, and that Report, he believed, would be strictly adhered to. He did not, he might add, at all agree with the views of the hon. Gentleman as to the government of Ceylon. While the Governor was responsible for the good government of the colony, he must have ample discretion in the management of its affairs; and if, as the hon. Member proposed, the majority of Members in the Council were to be elected, the Governor would no longer be in the position which an autocratic governor ought to occupy, who, being fully responsible, should have the power of conducting his own policy. The hon. Member had also fallen into a mistake with respect to the intention of Earl Grey, whose despatch contained no such promise as that indicated by the hon. Member. Earl Grey expressed a wish that the colony might become more able to take a part in its own financial affairs, and it was rapidly exhibiting greater capacity in that respect, for it frequently controlled votes on financial questions. The hon. Gentleman talked, not in the interest of the great population of the colony, but in the interest of a small section — the English planters—who had ample influence in the Council. He thought that no case had been made out for the inquiry which the hon. Gentleman asked the House to sanction.

Mr. Alderman LUSK trusted that the Motion for a Select Committee would be agreed to. The Under Secretary for the Colonies had objected that the complaints came only from Englishmen in the colony; but Englishmen constituted the life and soul of the colony; and, if they complained, they ought to have a fair hearing. With regard to the population of the colony, it was true, as stated by the hon. Member for Stockport that its amount had diminished since 1863, though there had been some increase of population in 1866 over the amount in 1865.

Mr. GORST thought the House had not only failed to dispose of the grievances of Ceylon, but had failed in understanding what those grievances really were. It was ridiculous to say that the matter had been fully discussed on a former evening, when, in point of fact, only four Members took part in the debate. Moreover, both the Under Secretary for the Colonies and the right hon. Member for Oxford (Mr. Cardwell) had misconceived the real ground of complaint. Although the statement that the military expenditure was not the real grievance had been proved during the former discussion, the right hon. Gentleman (Mr. Adderley) had repeated his former statement. The grievance was not confined to any particular expenditure. It referred to the general system pursued by the Colonial Office; and the complaint was that the Colonial Minister of this country expended £1,000,000 per annum without the slightest check or control from any person in the world. [Mr. Adderley: No, no!] Well, was that expenditure controlled by the House? The state of the House when colonial matters were brought forward showed that hon. Members did not take the slightest interest in them; and it was almost impossible to discuss them except when a Vote was proposed in Committee of Supply. On the previous discussion the House would have been counted out but for the accidental circumstance that the Government wanted to pass a Vote in Supply, and the result would probably have been the same on the present occasion but for a similar reason. Not only was there no control by the House over the expenditure in Ceylon, but there was no control whatever. Now, what was wanted was that there should be an efficient control vested in the colony itself. It was quite true that there was a Legislative Council, and that money votes were brought before that Council; but of the sixteen Members who composed it ten were official servants of the Government, who were compelled to vote according to instructions sent out from this country. He strongly urged the Government to consider the question, and to devise some means for checking our colonial expenditure. He believed that representative institutions had been granted far too soon in many of the colonies, and there was great danger lest the refusal to redress real grievances might lead to an extension of that practice. There was first a refusal to listen to just complaints, and then violent agitation having been excited, extravagant concessions were made for the purpose of allaying that agitation. He did not believe that the Colonial Office was at all ill managed; but he did think that at a time like the present, when the House of Commons took no interest in colonial affairs, it was desirable to provide some machinery by which the action of the Colonial Office in expending a sum of £1,000,000 per annum should be effectively controlled.

COLONEL SYKES objected to the assertion of the Under Secretary of State that the governors of the colonies must be autocrats. They could not expect any body of Englishmen to submit to a system of Government which deprived them of all real control over their expenditure. But that was precisely the state of things at present in Ceylon. There was a Legislative Council, but the Government officers by their votes rendered popular control impossible. He would ask, why were these Crown Colonies kept in the hands of the Colonial Office? The answer was, because of the patronage they brought in the appointments of governors, and judges, and others. The hon. Member for Stockport (Mr. Watkin) was undoubtedly right in the view he had taken of this matter, and in bringing it before the House.

MR. CHILDERS agreed very much in the spirit of what had fallen from the hon. Member for Cambridge (Mr. Gorst) that it was almost hopeless to discuss any colonial question in the present state of that House. He also agreed with much that had been stated by the hon. Member for Stockport (Mr. Watkin). Ceylon had not undergone that rigid inspection by the Colonial Office which from time to time was required; and he strongly urged the desirability, if a Committee were not granted, of sending out a Commission to Ceylon to look very thoroughly into the whole system of administration there. Such a course would, he was convinced, be most beneficial not only to Imperial but Colonial interests. He believed the Government of Ceylon was not well administered; from careful inspection of official documents he could say that a great deal ought to be done with respect to the finance of the colony. But he should feel considerable difficulty in voting for this Motion, because it must be considered in connection with the Papers which had been laid on the table; and he was bound to say that those Papers disclosed such extraordinary doctrines that the House could not allow itself to appear to give any sanction to them. The whole of this movement was based on a Paper which emanated from the gentlemen who called themselves the Ceylon League. That Paper had been laid on the table, and he would quote only this one sentence from it—

> "The public of Ceylon will, at present be satisfied with such a concession as will give them the enjoyment, through their Representatives in Council, of the constitutional right of full control of the local revenues, freed from the dictation of the Governor or the Secretary of State."

The meaning of that was, that representatives of the white population, consisting of 3,000 should have entire control over the revenues without reference to the wishes of the Native population, amounting to 2,500,000. He thought such a position would be monstrous, and he trusted no one on either side of the House would support such a doctrine. But if the Committee were moved for on the ground of the bad Government of Ceylon, he thought there was ground for supporting it. The secret of the matter was this. Until within a few years there was no agitation on the part of the people of Ceylon with respect to the financial administration of the colony. There had been a considerable surplus, which was accumulating. Some years ago a Committee of this House reported that the colony did not bear anything like its proper share of military expenditure, and that that share ought to be increased; and the Government wrote to the Governor to the effect that there being a large surplus every year a portion of it should be applied to relieve the military expenditure. The planters then urged the Governor to expend more money, and the real object of the agitation has been to obtain for them not the power of refusing expenditure, but of increasing it in spite of the Government. Now that was not constitutional. Even in that House they could not force upon the Government any particular course of expenditure. It was such a system which broke down the Government of Jamaica. The agitation going on at Ceylon was that of a minority to force the expenditure of money in the colony, and thereby to reduce the surplus, so that the colony should not have funds out of which to bear their share of the military expenditure. It seemed to him that, by countenancing such a movement Parliament would be adopting a retrograde policy. He thought the right hon. Gentleman might properly object to the Motion; but he hoped the Government would consent to send out a Commision of Inquiry.

Mr. M'LAREN said, the hon. Gentleman who had just sat down had hardly done justice to the Paper which he had quoted. The paragraphs preceding the extract which he had read considerably modified that passage. The spirit of the Paper referred to was this:—That the Government officials in Ceylon had an absolute majority in the Council with regard to the control of expenditure. Ceylon was too large an island to be placed on the same footing as some small West Indian islands, and the people of Ceylon wished that unofficials should have a majority in the Ceylon Council. They wished that should be effected in one of two ways—either by increasing the number of the unofficial men, or by diminishing the number of the official men. He thought that was a very fair proposal. A remark of the right hon. Gentleman opposite, that only a small minority supported this proposal, put him in mind of an anecdote which was related to him by Mr. Abercrombie, a former Speaker of the House. Mr. Abercrombie told him that at the commencement of the anti-Corn Law agitation a division took place in which only twelve Members voted in the minority, and that when he (Mr. Abercrombie), one of the minority, was marching out of the House to give his vote, he heard one of the Members of the majority say, "There are just a dozen of them, and they have not an acre among them." That, no doubt, was thought a conclusive argument by the Member who adopted it. He believed it was true, that the twelve had not an acre amongst them, but they had brains; and they inoculated the country with the truth of the proposition that they advocated. That truth prevailed; the majority of the House adopted it, and there was now no one on either side of the House who would say that they did not arrive at a right conclusion. It was vain to say as an argument against the demand of the Ceylon League, that only a minority were in favour of it.

Mr. Serjeant GASELEE said, that if the hon. Member did not go to a vote upon this question, he should, in future, walk out of the House whenever the hon. Gentleman brought forward any other Motion of a similar nature. He protested against the House being turned into a mere debating society. Hon. Members brought forward Motions of this description, and after they had impeded the progress of Public Business they withdrew them and the matter ended in smoke. He hoped that the hon. Member would press the question to a division. The very fact that the Under Secretary for the Colonies, and an Under Secretary under the last Administration, had combined in defending the present state of things in Ceylon, convinced him that there must be something rotten in the Ceylon Government.

Mr. AYRTON said, that having spent some time in Ceylon, and having had in former times a pecuniary connection with the island, he felt an interest in its condition. Ceylon was a conquest of the Crown, and whatever might be the opinion of the gentlemen represented by the hon. Member for Stockport (Mr. Watkin), it was the duty of the Government to take care of the 2,500,000 of Natives, and not of the 3,000 Europeans only. In order to protect the Natives of the island, the supreme Government should be vested in officers who were responsible to the Crown, and not in a mock popular Council, selected from a few commercial European inhabitants. To place the supreme power in the hands of the Natives would only give rise to false hopes, and would be likely to lead to sedition and insurrection.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Mr. WATKIN desired to state that he had said "Aye" to the Motion which involved the rejection of the Committee for which he had moved in the belief that he was supporting his own proposal. He had certainly intended to press the matter to a division.

Mr. Serjeant GASELEE stated that all the Members in his neighbourhood had shared in and acted under the same misapprehension.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

## SUPPLY—CIVIL SERVICE ESTIMATES.

Supply *considered* in Committee.

(In the Committee.)

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £59,920, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1869, for the British Embassy Houses, Chapel, Consular Offices, &c. at Constantinople, China, and Japan."

Mr. MONK called attention to the proposed expenditure of £9,920 for British Consulate and Embassy houses at Constantinople. A new Embassy house was proposed to be built at Therapia. A most extravagant system was being pursued with respect to the Embassy house at Constantinople; and it was the duty of Parliament to take steps for the reduction of the sums charged upon the country for the purpose of maintaining that establishment. He would quote the following figures to prove how the expenditure had gone on increasing, and to show the enormous sums which had been voted for our Ambassador's houses at Constantinople during the last few years. In 1863-4 the estimate was £4,352, subsequently reduced by a sum of £400; in 1864-5, £3,200; in 1865-6, £3,455; in 1866-7, £3,000; in 1867-8, £4,000; and in 1868-9 it has reached the grand sum of £9,920. He pointed out that last year Parliament had voted a sum of £350 for iron shutters for the building at Therapia, which, if the present proposal were carried out, would be money thrown away. Twenty years ago upwards of £80,000 had been expended in building an Ambassador's palace at Pera, and since that thousands of pounds had been spent in keeping it in repair. He had been at the palace at Therapia, which was very pleasantly situated on the Bosphorus. He thought it was quite unnecessary to spend so large a sum for a new palace, and he hoped the Committee would not sanction the proposal. He begged to move that the Vote be reduced by £6,000, the sum proposed for the new Embassy house at Therapia.

Motion made, and Question proposed,

"That the Item of £6,000, for the Embassy House at Therapia, be omitted from the proposed Vote,"—(*Mr. Monk.*)

Colonel SYKES said, that the reduction now proposed was microscopic. There was an enormous increase in the Civil Service Estimates this year. They were divided into seven classes, and there was an increase in every class except two. In the first class there was an increase of £198,000.

The CHAIRMAN called the hon. and gallant Member to order. The Motion before the Committee is to omit an item from Vote 1, and the discussion must be confined to that item.

Colonel SYKES said, he had expected an explanation from the Secretary to the Treasury in introducing the Estimates. Failing that, he had asked the Speaker whether he (Colonel Sykes) could make his comments when the first Vote was moved, and the right hon. Gentleman had told him that the Chairman of Committees would decide. There was an increase in the Estimates this year of upwards of £1,200,000, and the country should be made aware of the fact.

The CHAIRMAN: Order, order!

Colonel SYKES: Then, Sir, I shall not speak at all.

Mr. LABOUCHERE feared that the matter was not fully understood by the Committee. Not only at the Embassy house at Constantinople and Therapia, but at the Consulate houses, everything was in an exceedingly bad state of repair, and the real reason why Parliament was so often asked for money was that we had not adopted the best and cheapest course by pulling down the old houses and building new ones. His hon. Friend near him had spoken of the "summer palace" at Therapia. He (Mr. Labouchere) had had the misfortune to live in that palace; and the fact was that so far from being in reality a palace the buildings in question were simply three sheds, nothing better than an old farmhouse, and in exceedingly bad repair. When he resided there he could hardly sleep in consequence of the number of scorpions with which the house was infested. Those who had been much in Turkey knew that when houses became old and full of holes the scorpions multiplied with great rapidity. He believed, in fact, that the thin sheds at Therapia were by this time quite uninhabitable, and that instead of a few hundreds to buy shutters, it was far cheaper to spend £10,000 in one sum, not to build palaces, but a habitable house for the Ambassador's residence in summer. He would, however, ask the Secretary to the Treasury to defer the vote until after some communication with Contantinople, because he (Mr. Labouchere) thought he could show how the necessary house could be built without cost to this country. The Sultan had given to this country a tract of land, on which the present dilapidated sheds stood, with a large frontage to the Bosphorus. Now a frontage on the European side of the Bosphorus resembled in comparative value a frontage in a fashionable London street, and this particular frontage was a quarter of a mile in length. No Turk ever thought of occupying so large a frontage as this by his garden; he would place his villa on the borders of the Bosphorus, and let his garden extend in the rear. He thought he was not wrong in stating that when Sir Henry Bulwer was Ambassador at Constantinople, he proposed to sell a small portion of this frontage, which he estimated would fetch £10,000, and with that sum to build a new house. The only feasible objection urged against that plan was that the land was the gift of the Sultan; but he had consulted many Turks as to what their habit was when the Sultan presented them with estates, a thing which frequently occurred, as the Sultan, being heir to all who died intestate within his dominions, had annually a good many estates on his hands. They told him that they sold these presents; that it was the custom of the country, and that there was nothing in the act derogatory to the Sultan. On the contrary, they thought it would be complimentary to the Sultan to replace the three sheds by a handsome building, reared at the cost of a small portion of the outlying grounds. In fact it would be more complimentary to the Sultan to build the Ambassador's house out of funds so obtained than out of money sent from this country. He hoped, therefore, that his hon. Friend would not press his Motion, but that the Secretary to the Treasury would defer the Vote until he had had the means of communicating with Constantinople.

Mr. KARSLAKE said, that as one who had spent much time in Constantinople, he knew of no Vote which the Committee should more readily sanction than this. If the Turks had been left to judge of England's power by what they saw among themselves before the Crimean War, their estimate would have been very low. England had nothing in the country to compare with the handsome buildings of the Russians; and though England's prestige had been lately re-established in the East, he thought it would be only prudent to make a little display in the shape of a respectable dwelling for an Ambassador.

Lord STANLEY said, that the sum spent on the iron shutters would not be thrown away, as the hon. Member for Gloucester (Mr. Monk) complained, because they would be used in the new building. Touching the question generally, he quite agreed with the hon. Member for Middlesex (Mr. Labouchere), that the buildings referred to could not be called a palace; they simply formed a country residence of most unpretending character for the British Embassy; and, in answer to the question why they were not pulled down, and replaced by an entirely new and substantial building, he answered that this was precisely what the Government proposed to do, although the operations might extend over two years. At this distance from the locality, which was from personal experience quite unknown to him, he was prepared neither to accept nor reject the proposal referred to by the hon. Member for Middlesex; but he pointed out that, however worthy of attention the suggestion might be, it had no material bearing on the question at issue, because if, on inquiry, it was found prudent to sell surplus land and devote the proceeds to building the houses required, the sale could be effected at any time hereafter, and the Treasury could then recoup itself from the sum realized; the building must be paid for out of a Vote, and then credit might be given for the proceeds of the surplus lands in the Estimates next year. The question before the Committee naturally divided itself into three branches—Was a house at Therapia necessary? Was the present house in a proper state of repair? And, presuming these questions to be answered in the affirmative, was the proposed mode of dealing with the question sufficiently economical? Respecting the first point, he believed there could be no doubt. We had always had a house at Therapia; because Pera was very unhealthy during the summer, and because it would be extremely inconvenient if our Embassy remained at Constantinople during the summer, when the Government of the country and all the other embassies had removed to Therapia. On the second point—a Report received last autumn from the English Ambassador at Constantinople, stated that it would be hardly possible for the gentlemen of the Embassy to continue to inhabit the buildings unless something was done to them; and, as regarded the servants' portion of the building, it was simply unfit for human habitation. A recent Report, by Colonel Gordon, clearly showed the present house at Therapia was past all repair. With regard to the manner in which those repairs were to be executed, all he could say was that a gentleman had been sent out from the Treasury, especially charged with the duty of investigating them and other kindred matters, and the Government had simply abided by his Report.

MR. POWELL said, that if the ordinary repairs were on so large a scale as £2,600, it was evident that the buildings must be in such a condition as to render their total re-construction not only wise but economical. Having visited the Bosphorus during the past autumn he could testify that the houses were worn out, and that their condition was such as to render them a byword among the native population. The buildings had been handed over by a former Sultan; and the Ambassadors had suffered some inconvenience with regard to them on account of their possessing certain features of antiquarian interest.

MR. ALDERMAN LUSK objected to the building of a palace for a country house. He feared that if the Committee voted £10,000 for the purpose this year, they would be called upon for further Votes for decoration and furniture next year or the year after. They had much better give the Ambassador a proper sum and let him provide his own house.

SIR GEORGE BOWYER thought it desirable that the Vote should be postponed until the noble Lord had inquired whether the statement made by the hon. Member for Middlesex, to the effect that a sufficient sum could be obtained, without calling upon the House at all, by the sale of part of the land at Therapia, was well founded.

LORD STANLEY said, even if it were determined that a portion of the land at Therapia ought to be sold with a view of recouping the nation for the expenses incurred in building, it would not the less have been the duty of the Executive to submit this Vote, in order to bring the expenditure under the notice of the House.

SIR GEORGE BOWYER: But will the noble Lord undertake to enquire whether we can recoup ourselves in the manner suggested?

LORD STANLEY: I have no objection to make the inquiry.

MR. AYTOUN asked, by whom the plan for the new palace had been drawn, and whether it was by an officer in the Royal Engineers, his opinion being that officers in the Royal Engineers were incompetent to erect buildings of this character; also, whether an opportunity would be afforded to Members of acquainting themselves with the details?

THE CHANCELLOR OF THE EXCHEQUER said, that the plan had been sent home by Colonel Gordon, an Engineer officer appointed by the late Government to superintend the Consular buildings and other works belonging to this country at Constantinople. The total estimate was £10,000, and, as it was supposed that the building would occupy a year and a half, it was proposed to take a Vote of £6,000 this year, with the intention of following it up next year with a Vote of £4,000.

MR. LABOUCHERE said, nobody would suppose for a moment that the noble Lord the Secretary for Foreign Affairs would waste the money of the country, but there could be no objection, he thought, to postponing the Vote. He believed that if the Embassy at Constantinople were made to understand that the building of the new house would be contingent upon their finding the money, there would be a much better prospect of the money being provided in the way he had suggested than if the House of Commons voted it in the first instance. Part of the land is now used as a kitchen garden. People in their senses did not think of having kitchen gardens on the Bosphorus. The surplus land might be sold for the full amount of £10,000. As to the suggestion that a Minister should hire a house at Therapia, there must first be a house to hire. Those Ministers for whom houses had not been built at Therapia were obliged, at great inconvenience, to go to Prince's Island.

MR. MONK said, he wished to know whether the plans had been drawn by Colonel Gordon himself, and whether the specifications were at the Treasury? Last year the House was informed that the Government had given this matter their careful consideration, and had come to the conclusion, that as the Ambassador was at Therapia only a short time in the year, a new building for a summer residence was not necessary. He asked the House to pause before giving its sanction to a proposal nominally to expend £10,000, but really to commit itself to an unforeseen expenditure.

THE CHANCELLOR OF THE EXCHEQUER said, the plan sent home by Colonel

Gordon he presumed was his own drawings; at all events, he was responsible for it. He did not think there were any specifications at the Treasury; but an estimate had been sent home by Colonel Gordon, and they were acting on his advice in the matter.

Mr. Serjeant GASELEE contended that a large expenditure of this nature ought not to be sanctioned before the assembling of the new Parliament. He despaired of the present Parliament doing anything really practical or useful with respect to the Estimates.

Mr. CHILDERS said, that the House having, in 1863, negatived the Vote for the employment of a civil architect at Constantinople, the buildings there were practically not under the charge of anybody with professional experience. When he came to the Treasury in 1865 he found that very large estimates of work to be done had been sent home, yet there was nobody to whom application could be made for information, the clerk of the works having of necessity been brought home and pensioned off, at considerable cost, in accordance with the Vote of the House. After careful inquiry Colonel Gordon, then Major Gordon, an officer of Engineers, who had other employment at Constantinople, and who was certified to be perfectly competent to superintend these buildings, was appointed with a salary of £300 a year, and was instructed to go thoroughly into all questions of repairs, and see whether it was proper to preserve the old palace at Therapia or not. Having made that appointment, he left the Treasury long before Colonel Gordon's Report was received, and knew nothing of what had happened since; but, knowing that if Colonel Gordon had not been appointed there would have been no one to do the work at all, and presuming that the Government had acted upon his Report to the best of their discretion, he could not oppose the present Vote.

Mr. MONK asked, whether the noble Lord would not postpone the item till plans and specifications were before them?

Lord STANLEY said, he was anxious to consult the convenience of the House, but he did not think this was a case for postponement. The feeling of the Committee seemed to be that the preservation of the house at Therapia was desirable. It was admitted that the premises were tumbling to pieces, and it followed that some part of the expense of re-building ought at once to be voted.

Mr. AYRTON suggested, that perhaps his hon. Friend the Member for Gloucester (Mr. Monk) would be satisfied if the Government engaged not to embark in this expenditure till they knew its extent. The history of those buildings at Constantinople was a somewhat curious one. Some years ago a statement was made to the effect that it was necessary to take some means to secure the Ambassador against the danger of being burnt in the conflagrations which sometimes took place in that city. Upon that a house was begun at a sum of £14,000—enough to build a fine mansion; but the work went on until the Government had spent £80,000 and upwards. Then there was £10,000 for furnishing, and finally the expenditure reached £100,000. The amount spent annually in keeping the house in decorative repair was as much as the salary paid to some of our diplomatic agents at minor Courts. We had appealed to the eye of the Turks by providing the largest Embassy house in Constantinople, fine Consular buildings, a prison, and a hospital, and if in addition to all this the Ambassador was to have a country house rivalling the other palaces on the Bosphorus let Parliament first be satisfied that the estimated cost would not be exceeded.

Mr. M'LAREN said, they could not have an estimate without a specification. An officer of Engineers had sent in a plan, and, according to his idea, the house would cost £10,000; but another man might have quite another idea—might think the house should be finished and decorated in quite a different way, and the house might cost three or four times the amount now talked of. Without a specification the estimate was a sham.

The CHANCELLOR of the EXCHEQUER said, he presumed that the estimate of Colonel Gordon was made upon certain data, though the specifications might not be in the Treasury; and it would be a most unusual thing for a Committee of Supply to require a specification to be made out in detail for any public buildings. The Government had no intention of exceeding Colonel Gordon's estimate.

Mr. OTWAY said, that although it was not usual to ask for specifications, it was the duty of the Minister before proposing a Vote to ascertain that the charge was a proper one. Officers of Engineers were the most expensive gentlemen to be found for the construction of any work, and their employment had cost the country millions. When a Royal Engineer was appointed to superintend a work another person had to accompany him to take out the quantities. They had no reason to suppose there was any specification in this case, and from the experience at Constantinople they might look for an expenditure of £40,000 instead of £10,000. He should recommend the hon. Gentlemen to divide against the item.

Question put.

The Committee *divided :*—Ayes 20; Noes 37: Majority 17.

Original Question again proposed.

**Colonel SYKES** wished to have some explanation of the item respecting Consular buildings in China.

**Mr. Alderman LUSK** also wished to hear some explanation respecting the sums asked for Consular buildings abroad, especially in China and Japan. He objected to the present arrangement of the Estimate, which was very puzzling and prevented hon. Members from knowing precisely what they were asked to vote. He doubted the propriety of laying out the money which was asked for Consular buildings in Japan, and as an illustration of the necessity for mature consideration in regard to expending money in the country he referred to a paragraph in *The Times*' City Article of that morning, which mentioned that there was a town near Yokokama which was magnificent for a settlement, and was on the shores of a lake as large as the Lake of Geneva. Unless details were forthcoming he should divide the Committee on the item respecting Japan.

**Mr. CHILDERS** observed, in reference to a remark of the last speaker, that the Estimates were now arranged in accordance with the provisions of an Act of Parliament passed a few years ago, and in accordance with the advice of the Public Accounts Committee. As to this particular Vote, in 1865 the Treasury, finding that large demands were made from the Foreign Office for Consular buildings in China and Japan, determined not to sanction at that time any additional expenditure; but merely took a Vote to finish the works then in hand, and sent out an officer to visit the different stations and report as to the requirements of each. That being so, it was much to be regretted that the old fault had now been again made of not giving distinct details in the Estimates of the sums required in each case. He might add that when the consular Vote came before the Committee he should take the opportunity of criticizing it. He believed they were retaining Consular establishments in Japan which were outrageously extravagant. With respect to this Vote he thought the House ought to have further information before it voted so large a sum. It was almost impossible to express an opinion upon a lump Vote of £179,000.

**Sir HARRY VERNEY** said, that the Government ought to be prepared to furnish some information as to the places where and the objects for which the expenditure was to be incurred. There was one source of expenditure of which the Committee ought to be made aware. We had succeeded in getting China thrown open to foreigners, and some of the most disorderly characters from Europe had gone there. It was absolutely necessary that there should be some British authority to control these persons. If by admitting them we destroyed the authority of the Native Government, we ought in some degree to replace it, at least to the extent of keeping our own countrymen in order.

**Mr. SCLATER-BOOTH** said, he held in his hand a list of thirteen places in China and three in Japan at which the money would be expended. Of the total of £179,000, £50,000 was the estimated cost of new buildings at Shanghai alone. In addition new buildings were required at Canton, Foochow, Ningpo, and other places. The principle of this expenditure had been already sanctioned by the Treasury and by previous Votes of the Committee; and the total Vote was submitted this year on the principle that if the expenditure was to be incurred, the sooner the money was spent the better, for then the Government could dispense with the services of the gentleman who was superintending the outlay — Major Crossman, who had proved himself to be a useful public servant, had been sent out to Canton, and was responsible for the way in which this money was spent in China and Japan. There was every reason to suppose that he would conduct the business with due regard to economy. He might remind the Committee that large sums had been realized by the re-sales of land at Shanghai, at prices beyond its original cost; the aggregate gain would perhaps be £50,000 or £60,000, and therefore this outlay was not altogether one of money out of pocket.

**Mr. CHILDERS** thought the Secretary to the Treasury was mistaken in one respect; for he did not believe that the House was committed to this expenditure. On the contrary, his impression was that no sum had previously been named as the total required, and this was the first year that that total appeared in the Estimates. Certainly it did not appear in the Estimates for which he was responsible; for he refused to adopt any sum until he received the Report of the officer sent out to visit all the stations in China and Japan, and report upon their requirements. Upon that the Treasury and the Foreign Office were to be responsible for the expenditure recommended in each case. The officer selected, Major Crossman, had, he believed, made very considerable reductions upon the schemes of the Consular authorities, sometimes to the extent of one-half of what they proposed. More distinct information ought to be given as to the intended expenditure at each place.

COLONEL FRENCH asked, if any Report had been made with reference to the matter under discussion?

COLONEL SYKES said, that the Chinese Government had never parted with the freehold of the land required by the English Government; they had simply let it to us at a rent. It was hardly credible that such large sums could be necessary.

MR. OTWAY said, that an Engineer officer had been sent out on a roving commission, who said they would require to expend £179,000, but did not inform them on what they were to lay it out. The Secretary to the Treasury had said that the Committee were pledged to the Vote by what had taken place last year on the subject. Now, he was informed that there was no Estimate of this kind last year. Would they commit themselves to sanction a Vote of £179,000, by voting a portion of it now?

MR. AYRTON said, that the Vote furnished an illustration of the way in which the House drifted into expenditure of this kind. Several years ago a distinct understanding was come to that the Government should never incur expenditure on public works in excess of the amount of the Vote proposed unless the full extent of the intended expenditure was stated. In this matter, last Session, the Government simply proposed a Vote of £20,000 for Consular buildings in China and Japan, and there was no suggestion that they were embarking in further expenditure; and yet it was now said that the Vote of £20,000 was a mere Vote on account, and that they were committed to an expenditure of £179,000.

THE CHANCELLOR OF THE EXCHEQUER said, that the alteration in the form of the Estimates this year, in consequence of the passing of the Exchequer Audit Act, made it difficult for hon. Members to follow the Vote from last year to this. From the Estimates of last year it appeared that in the year 1866-7 a Vote was taken of £20,000 under the heading "Buildings at several Consular Stations." A similar Vote of £20,000 was taken last year under the same heading. On that occasion the Committee did not require a list of the stations at which these buildings were to be erected. He was willing to admit it would have been better if they had been given. The omission had now been supplied by the Secretary to the Treasury. It appeared that they included Canton, Foochow, Ningpo, Tien-tsin, and other places, the names of which, however, would not afford much information to hon. Members unacquainted with the country. Major Crossman was sent out to China and Japan expressly to control the expenditure on these Consular buildings; for it had been found by the late Government that the Consular authorities were more anxious to study their own convenience than economy, and were proposing works regardless of their cost. To put an end to this, his hon. Friend opposite sent out a person in whom he had confidence, to report what was really necessary. Reports had been sent home of the requirements of the different stations, and the expenditure necessary was estimated at £179,000. Of this, £50,000 was required for the Supreme Court at Shangai, leaving £129,000 for the twelve other stations. When an officer was at that distance it was difficult to specify at which stations the building should be begun; and he was therefore instructed to begin building at such stations as it would be most convenient for him to superintend. It was difficult also to find out at such a distance where the money would be spent during the current year. The Government, therefore, could only act generally, and they came to the conclusion that it would be best to leave the control to Major Crossman.

MR. CHILDERS said, that this expenditure had been going on for several years, and although on the face of these Estimates, the House was supposed to have voted only £40,000, it had really voted much more. Having regard to the small number of Europeans at Chinkiang and another place, he thought it would be unwise to have these expensive Consular buildings there. He had great confidence in Major Crossman, and it would be well that his Report respecting past and future buildings should be placed on the table.

Mr. LABOUCHERE asked the noble Lord at the head of the Foreign Office, whether it was contemplated to build at Pekin?

Mr. Alderman LUSK said, that some details should be given of the expenditure at Japan, and meanwhile moved that the Vote should be reduced by £15,000, the proposed expenditure there.

Motion made, and Question proposed,

"That the Item of £15,000, for Consular Buildings in Japan, be omitted from the proposed Vote."—(*Mr. Lusk.*)

Colonel SYKES said, that the Committee was left in the dark as to the mode in which this expenditure was to be distributed, as regarded the several Chinese ports. He would suggest that the Papers supplied to the House should state the number of European subjects residing at the places where these Consular buildings were required.

Lord STANLEY said, he must point out that in Japan you could hardly hire houses; for you could not hire the houses of the Daimios, and there were hardly any others that were fit for the residence of Europeans. Moreover, the system of hiring instead of building was exceedingly expensive. As the Committee were aware, two new ports were opened at Japan, and when new ports were opened it was necessary to have Consuls and Consular residences. In China we were at present paying £8,000 a year for buildings occupied for Consular purposes, and even then complaints were frequent respecting the accommodation. £8,000 capitalized represented a sum of £200,000, and the expenditure on buildings must not therefore be regarded as wasted, but rather as a reproductive investment.

Colonel FRENCH asked, if there was any objection to produce the Report of Major Crossman?

Mr. SCLATER-BOOTH said, there would be no objection to produce Major Crossman's Report. At all events a statement should be made showing the distribution of the money which it was proposed to spend.

Mr. Alderman LUSK inquired, whether it was intended to build an Embassy house at Pekin?

Lord STANLEY said, that there was a very extensive, and he believed a very good Embassy house at Pekin. He did not undertake to say that it might not want repair, nor that some additional buildings might not be required; but there was no intention to undertake building on a large scale there.

Mr. WATKIN complained that they had no information as to the total amount which had been voted from the beginning in reference to Constantinople and other places.

Lord STANLEY observed that a Return had been moved for which would give the information.

Mr. OTWAY said, he wished to know whether £15,000 was all that would be required with respect to Consular residences in Japan? Last year the House voted £20,000 for Consular residences in China; and this year the House was told that, because it voted that amount, it bound itself to vote £179,000 for Consular residences in China, for the purpose of completing the business. He wished to know whether the £15,000 now asked for Consular residences in Japan was only a portion of a greater sum, as in the case of the Consular residences in China?

Mr. CANDLISH said, the Committee need not expect that by granting, money for the building of Consular residences, they would get rid of annual charges with regard to the residences of our Consuls abroad. He observed that there was an item of £2,000 for ordinary repairs of the Consular residence at Constantinople. The buildings at distant stations seemed always to want repairing, and he thought that in such places it would be better to hire than to purchase houses. He hoped the hon. Member would insist on a division.

Mr. CHILDERS hoped the Government would give some further explanations.

The CHANCELLOR of the EXCHEQUER said, that the House had voted last year the sum of £10,000 for these Services under the head of buildings required at certain stations, and £7,000 the year before that, and besides this there was last year £5,000 for building in Japan. Major Crossman had sent over a Report with respect to the buildings which would be required in Japan, and he believed the sum of £15,000 would have to be spent upon them. The detailed Report, however, had not been sent home as yet. Unless the Committee would trust the Government in this matter the consequence might be they would have no money to go on with, and that, owing to the distance, Major Crossman's time might be, to a great extent, thrown away. The Committee must be aware that, in dealing with matters of this sort at so great a distance, it was impossible to have the same particulars and details as might be had in the case of buildings nearer home. A great deal must be left to the discretion of Major Crossman, who was on the spot, and it was therefore wholly impossible to give the Committee all the information they might desire. The late Government had acted very judiciously in sending out Major Crossman, and he trusted that the Committee would not, by its Vote on this occasion, render that officer's mission of no avail.

Mr. Serjeant GASELEE inquired, whether Major Crossman was not at this moment in England?

Mr. SCLATER-BOOTH said, he was not; he was abroad superintending these works. He had recommended that expenditure should be incurred at thirteen places.

Mr. NEATE urged that the Committee should trust the Government. The amount was not a very large one, and as they knew they had not a very flourishing Budget, it was the interest of the Government to be as economical as possible. His experience was that there was an excessive cutting down of the Estimates at the Treasury.

Question put, and *negatived.*

Original Question put, and *agreed to.*

(2.) £8,000, to complete the sum for the Metropolitan Fire Brigade.

(3.) Motion made, and Question proposed,

> "That a sum, not exceeding £8,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, for the purchase of Ground and for the Erection of a House for Her Majesty's Mission at Teheran."

Mr. Alderman LUSK said, he decidedly objected to this new Vote; because if it were agreed to, no doubt it would be followed in future years by larger Votes. Next year they would be told that the Committee had voted so much this year, and so the thing would go on. He wanted to nip the matter in the bud, and therefore he moved that the Vote be disallowed.

Mr. LABOUCHERE said, he had always been under the impression that there was a very good house at Teheran. He agreed with those who thought it far better to build than to hire a house; but he thought that the Committee ought to have some definite information as to how much money it would be necessary to expend upon it. Were they, for instance, going to send out European furniture? If they were it might cost as much as the house itself.

Colonel SYKES wished to know, if it was proposed to erect a new mission-house in Teheran, this never having been considered necessary before? We had had a mission to Teheran for half a century, and our *Chargé d'affaires* used to find a house for himself.

Lord STANLEY said, this was a great mistake, as there was a mission-house which had been built in the early part of the present century, and the land on which it stood was British property. Of course, it was very unfortunate that houses should tumble down and fall into such a state that they could no longer be inhabited, but so it was. The matter had been inquired into by two engineers on the spot, who reported that the mission premises were partly uninhabitable and partly in need of extensive repairs, and that the site was unhealthy. On these representations it was thought desirable to remove the residence to a somewhat healthier quarter. The old house and land would be sold, and the sum obtained by the sale would defray a considerable part of the expense of the new buildings, which were not intended to be in any way superior.

Mr. LABOUCHERE had the same objection to this Vote that he had had to that respecting Constantinople. It was for the purchase of land for the new house; and before the Committee was asked to grant £20,000 for that purpose, he really thought that it should be told what was the price that the old site was likely to fetch. He believed that the present house was unhealthy, and he desired to know, what superiority the new site would possess over it in that respect?

Lord STANLEY said, a conjectural estimate might, no doubt, be furnished of what the land would sell for, but this would be of no practical value, as the price of land at Teheran could not be estimated beforehand, as it might be in London. The old site could not be disposed of till the new house was built.

Mr. Serjeant GASELEE said, he considered that the House was sitting to no good purpose, after the Vote of the other night. He thought they ought to finish up their concerns, garnish their house, and set it in order for the new Parliament, which he hoped would be more economical than any Parliament they had ever seen. It was very wrong of the Government, when they hardly knew that they were any Government at all, except on suffrance, to insist on pressing new Votes. The best thing they could do was to complete the Votes already partly taken, and shut up shop as fast as they could.

Mr. CHILDERS suggested to the noble Lord, as a large deficit in the Revenue was unavoidable this year, it would be better to postpone this Vote to another year.

Lord STANLEY said, no doubt it might be possible to keep the present buildings in repair for two or three years longer; but the price of land in Teheran, both for letting and selling, was rising every year. Ten years ago that which it was now proposed to do might have been done much more cheaply. He did not put this as a matter of extreme urgency; but from all the information he had, and the best judgment he could form, he believed the expense would be greater the longer it was delayed.

Mr. GOLDNEY thought they ought to pass this Vote, after the explanations given by the noble Lord.

Mr. CHILDERS said, that if the price of land at Teheran was rising, the value of the old site might be expected to rise in proportion.

The CHANCELLOR of the EXCHEQUER said, the Treasury had accepted the proposition to build a new house at Teheran with very great reluctance, and only on the ground that it was by far the most economical step that could be taken. It was extremely undesirable that the Vote should be withdrawn; because they would have to spend a great deal of money in keeping the old house in repair.

Mr. LABOUCHERE said, that in that case he hoped the Vote would be agreed to. If it was intended to build a new house in two or three years' time it would be mere folly to spend £2,000 or £3,000 in tinkering up the old buildings.

Mr. GREENE thought it bad taste for the hon. Member for Portsmouth (Mr. Serjeant Gaselee) to remind people who were going to die of the fate that was before them. He supported the Vote on economical principles.

Question put: The Committee *divided*:—Ayes 70; Noes 25: Majority 45.

Vote *agreed to.*

(4.) £103,675, to complete the sum for certain Harbours of Refuge, &c.

Mr. Alderman LUSK called the attention of the Government to the fact that in the case of Alderney there was some discrepancy to be explained. Of the total amount of £1,274,000 voted, £1,226,861 had been expended, leaving a balance of £47,000 of which £9,000, excess of former Votes, was to be surrendered; whereas it was now proposed to vote £56,000, which would exceed the total.

Mr. GRAVES said, the sum asked this year for Alderney was £56,000, or an increase of £13,800 upon the amount voted last year. He confessed he had great doubts as to the propriety of any large expenditure upon Alderney. He had visited the place recently, and was quite unable to ascertain what we shall gain from the large and increasing outlay which went on there. The impression he had derived from his inspection was that they might as well throw the money into the sea as go on with the construction of that harbour, further than the most simple and speediest completion.. It could not contain more than four or five first-class ships, and it would take a garrison of 10,000 men to defend it. It was desirable to bring the expenditure upon these works to an end.

Mr. CANDLISH pointed out that the sum proposed this year for Holyhead Harbour, together with the amount previously taken for it, would exceed the estimated cost of the works there. The Estimate had also been exceeded at Dover. He wished to inquire of the Government, whether any idea could be given of the total expenditure which would be required to complete the works at those Harbours?

Mr. STEPHEN CAVE was not going to defend what had been done at Alderney. For the works at that place £1,300,000 had long ago been estimated as the sum necessary. When they had gone so far with those works it was requisite to go a certain length further, and not leave them in an unfinished state, which would be really dangerous to shipping. Whether the works would be advantageous to shipping under any circumstances was a point on which he was not called on to express any opinion; but the increased Estimate this year for Alderney was simply owing to the works being pushed on with greater rapidity, and not to any proposed extension of them beyond the point to which the original Estimate had been cut down. There was no intention of going beyond that; but it was of great importance, in an economical point of view, to have the works finished as soon as possible. He hoped the Estimate of £1,300,000 would not be exceeded. If it were exceeded, the Government would have to explain the cause of it; and if any fresh works should be proposed they could not be carried out without the previous sanction of Parliament. There was, however, no prospect of anything of the kind, and he trusted that the works at Alderney would shortly be brought to a close. At Dover there had certainly been some excess over the Estimate, because it had been found necessary to extend the pier and build a new pier-head, and to provide protection for the rest of the work. As to Holyhead, considerable expenses had to be incurred in consequence of a breach made by a heavy storm last year at that important harbour. It was necessary to repair the breach at once, and it had been done as economically as possible.

Colonel FRENCH confirmed the statement of the right hon. Member (Mr. Cave) with respect to the breach at Holyhead, and said it was absolutely necessary to expend the money in repairing it.

Mr. CHILDERS asked, whether, in consideration of the accommodation provided for the mail packets at Holyhead Harbour, by the expenditure of the sum of £6,500 mentioned in the Vote, the Post Office and Treasury had agreed with the mail contractors as to certain conditions with respect to time, which had been the subject of much correspondence; and, if not, what was required to be done before the Post Office would be in a position to impose fines upon the mail contractors for not keeping time?

Mr. SCLATER-BOOTH said, it was necessary to expend the sum asked for at Holyhead. He would make inquiries relative to the question of the hon. Member for Pontefract.

Mr. Alderman LUSK complained of this continual outlay upon the harbour of Holyhead, which was simply used for a few steam packets.

Mr. GRAVES said, he could tell the hon. Member for Finsbury that it was not an unusual thing to have as many as 300 vessels in Holyhead Harbour at one time. He wished the expenditure upon all their harbours was as profitably laid out as that upon Holyhead. He found that a sum of £496 was asked for Portpatrick Harbour. A very large outlay had been made on that harbour, with a view to make it a packet harbour, but he understood that idea had been abandoned; and if that were the case, why should the harbour be kept up?

Mr. BONHAM-CARTER said, that it was greatly to the interest of Ireland that they should obtain the best means of communication between Portpatrick and Ireland; and when the necessary amount had been expended it would ensure accuracy of service.

Sir PATRICK O'BRIEN asked, if the reason why the penalties had not been enforced against the packet company at Holyhead was because that company alleged that the contract for the execution of the necessary works had not been completed in a proper manner?

Mr. SCLATER-BOOTH believed that there had been a long dispute respecting this matter, and he would take care to inquire into it. He believed there was also some point of dispute as to time. It appeared that a sum of £9,000 would be surrendered to the Exchequer, but that sum had not yet been surrendered.

Mr. CANDLISH remarked, that no answer had yet been given with regard to the item which appeared in the Vote respecting Portpatrick.

The CHANCELLOR of the EXCHEQUER hoped that this was the last time an item in connection with Portpatrick would appear in the Estimates; for he was glad to say that it had been decided to abandon that place as a port of departure for the mail packets. The difficulty had arisen in consequence of a Treasury Minute of 1856, in which the Government of that day undertook to make a harbour suitable for packet services. On the faith of that Minute the railway company spent a large sum of money, and the object of the Government had since been to come to some arrangement with the company on the subject. It had at last been arranged that the Government should lend the County Down Railway Company the debenture capital at a lower rate of interest than that which they were now paying, and that Portpatrick should then be finally abandoned as a mail-packet station. As regarded the Portpatrick Railway Company, although the proposition which they lately made was still under consideration, yet they had at last agreed to give up Portpatrick as a point of departure. They still asked, however, that the spirit of the Treasury Minute should be carried out, and that they should retain the privilege of conveying the mails from some other point. He believed that the whole sum asked for in the Vote for Portpatrick would not be required, inasmuch as it was likely that the staff would be got rid of in the course of the year, although it might be necessary to continue the salary of the superintendent until the repair of a breach which had been made in the pier in January was completed.

Vote *agreed to.*

(5.) £37,310, to complete the sum for certain Lighthouses Abroad, &c.

Mr. CHILDERS desired some explanation respecting a sum of £11,650, which was put in the Vote for the Little Basses Rocks (at Ceylon) spare lightship. Was it the case that this lightship had answered?

Mr. STEPHEN CAVE was afraid he could not give any more definite answer to this question than that which had been given by previous Presidents and Vice-Presidents of the Board of Trade. After careful consideration, they had come to the conclusion that it would not be justifiable, in the interests of navigation, to take away these lights, and that was all he could say about the matter. The advantage of a light was, of course, negative; and it was impossible to say how many shipwrecks had been prevented by it.

Mr. CHILDERS repeated his inquiry as to whether the existing arrangement had been found satisfactory or not? Three or four changes of mind on the part of the Department had occurred, but the House had as yet no information that the light was satisfactory.

Mr. STEPHEN CAVE believed that a lightship had been considered to be the best and most economical plan, though proposals had been made for a permanent construction. The spare ship was necessary in case the other broke adrift.

Mr. Alderman LUSK doubted very much whether they knew what they were doing. He did not know why they should take money unless they wanted it. He could not understand why they should take money away from one Department, and give it back through another.

Sir PATRICK O'BRIEN wished to know whose duty it was to report to the Board of Trade as to the advisability of these lights? Was it the Admiral on the station, or any other responsible person?

Mr. STEPHEN CAVE said, that the report was made by the agent to the Trinity House. In the case of a colony, by the Colonial Government.

Vote *agreed to.*

(6.) Motion made, and Question proposed,

> "That a sum, not exceeding £51,238, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, for the Maintenance and Repair of the Royal Palaces."

Mr. Alderman LUSK said, this Vote was increasing year by year, and some explanation was necessary with regard to it. There was this year an increase of £14,293 over the amount of last year's Vote. He considered the expenditure enormous. He also noticed that the money spent on palaces not in the occupation of Her Majesty was very large. £8,000 was charged for Windsor Castle, and the sum asked for Hampton Court Palace stables and outbuildings, including orangery and vinery, amounted to nearly £8,000. He believed that a certain class of persons were lodged in that place who did not wish to pay their debts; and an action had been brought in the Court of Exchequer against a sheriff for putting the law in force in the case of one of the inmates. He should like to know at whose expense that action was brought. He did not think it was creditable to ask the taxpayers of the country to pay such large sums to keep up these palaces.

Mr. CHILDERS asked for some explanation respecting the item for the expense of the re-construction of Romney Lock and Weir, and for the removal of Old Windsor Lock. He believed that in consequence of Romney Lock falling into ruins, some of the water arrangements connected with Windsor Castle were interfered with, and it was originally intended that the expense of the repair of the lock should be only advanced by the Treasury, and repaid from the funds of the Conservancy raised under a Bill before Parliament; but it now appeared that it was to be defrayed by the present Vote.

MR. GOLDNEY said, when the Conservancy Bill was passed £5,000 was given up to carry out certain drainage improvements, and power was given to impose a certain rate upon the owners of property, for the purpose of diverting the drainage. They were now asked to vote a sum of £15,000 to accomplish the same object, and they ought to see that it was not paid twice over. It ought also to be seen whether they were not in this Vote dealing with the drainage of the whole town.

MR. BENTINCK drew attention to the item of £500 for cleansing and restoring pictures in Hampton Court Palace. They were not, it appeared, the property of the nation, but of the Crown, and the Crown ought to pay the expenses connected with them.

MR. LABOUCHERE said, he could state that no part of the sum asked for in respect of Royal Palaces was devoted to the drainage of the town of Windsor. He thought we had a great deal too many palaces. The palaces which were not in the occupation of the Crown cost about £50,000 a year. The orangery, vinery, stables, and outbuildings of Hampton Court Palace cost £7,313. Now, those who resided in that palace were, from early association, rather reckless in their habits, and in order to point out to them the excellence of economy, he should move that the Vote be reduced by the sum of £5,000. £2,313 was quite sufficient for Hampton Court Palace.

LORD JOHN MANNERS explained that, under the Act of 1866, the Conservators of the Thames gave notice that the drainage of Windsor Castle should no longer find its way to the Thames; it was necessary to divert it at a cost of £8,000, and there was every reason to believe that the plan suggested for the purpose would be found to work well. With respect to the sum necessary for the removal of the lock and other works connected with it, the Conservators had applied to the Government for a contribution towards defraying the expense of the works. Their request was that one-half the sum to be expended should be re-paid by Government, in consequence of the importance of the works for the water supply of Windsor Castle. The expenditure was estimated at £11,000, but the Government only proposed to contribute a sum not exceeding £2,500. In addition to that, the Government had been called upon to divert the drainage of Hampton Court Palace from the River Thames, and he hoped the plan under consideration would effect that in a satisfactory manner; it would cost £4,500. Under the head of Buckingham Palace there was also an item of £2,150 for cleansing the ornamental water. This explained how the excess on the present Vote had arisen. It would be found that all these additional items together amounted to £17,152, while the excess of the Vote over that of last year was only £14,293. With respect to the pictures at Hampton Court Palace, there had always been a small Vote for cleansing and restoring them. The collection was increasing from year to year; and was under the management of a very competent person, who bestowed great care and attention upon them; and when the hon. Member for Finsbury said these palaces were of no advantage to the public, he could only say that Hampton Court Palace was open to all the world, and the pictures were arranged in such a manner as to render a visit to Hampton Court not only extremely agreeable, but instructive. As to the gardens, they too were open to and much enjoyed by the public. A great portion of the inhabitants of the metropolis habitually derived the greatest possible pleasure from visiting the palace.

MR. CHILDERS remarked that there was no claim on the Government for the lock referred to. There was only a claim for the machinery which sent the water up to Windsor Castle; and it could not cost £2,500 to put the machinery in order.

MR. FAWCETT said, the Vote contained many objectionable items, but there was one he considered particularly objectionable—namely, that of upwards of £7,000 for St. James's Palace. He could not understand the use of this palace. Her Majesty did not reside there or hold Her Courts there. Recently Her Majesty's Courts had been held at Buckingham Palace; and if Buckingham Palace was not large enough for the purpose, he should be in favour of additional expenditure in order to make it sufficiently large. He could not conceive why they should sanction the extravagance of keeping up St. James's Palace, when at most it could be used only two or three days in the year, and when there was another palace in the neighbourhood. Everybody who had ever been at a Court at St. James's Palace agreed that it was a most uncomfortable palace for the purpose. He believed that the state of the finances, as it was to be described next

Thursday, would be most disastrous; and he therefore gave notice that, after the Motion of his hon. Friend the Member for Middlesex (Mr. Labouchere), he should move that the vote for St. James's Palace be reduced by £5,636.

Mr. LABOUCHERE quite agreed with the noble Lord that great pleasure was derived by the people of the metropolis from visits made to Hampton Court Gardens, and that money could not be better expended than in their maintenance. But he found that under Vote 9, ample provision was made for that purpose, and the Vote of £7,000 odd, which he proposed to reduce by £5,000, was spent, not in the maintenance of those gardens, but upon the stables, vinery, &c. He should like to know who used the stables of Hampton Court Palace. The Court never visited there. He must therefore press his Amendment.

The CHAIRMAN informed the hon. Member for Brighton (Mr. Fawcett) that if he intended to make his Motion, he must do so before the hon. Member for Middlesex moved his Amendment, as the item to which his Motion refers comes first in the Votes.

Mr. FAWCETT then moved that the sum of £5,636 for Palaces partly in the occupation of Her Majesty, be omitted from the proposed Vote.

Motion made, and Question proposed,

"That the Item of £5,636, for Palaces, &c. partly in the occupation of Her Majesty, be omitted from the proposed Vote."—(*Mr. Fawcett.*)

Mr. Serjeant GASELEE complained of the annual increase in the amount of these Votes. It was said the people went to Hampton Court Gardens; so they did, but they had to pay to see the vinery. They went to Kensington Gardens; but that was no reason for spending so much on Kensington Palace. Then there was a vote of £200 for incidental expenses, which was never there before; he should like to know what that was for. He would support the Amendment of the hon. Member for Brighton.

Mr. OTWAY wished to call attention to two inconveniences which attended the visits of the people to Hampton Court Gardens. The first was the small number of seats in the gardens and in Bushey Park. He must say he knew no man who was more disposed to attend to the convenience of the public than the noble Lord, and he hoped he would take this matter into consideration. The next was a matter that especially degraded us in the eyes of foreigners — he meant the meanness of charging a penny for permission to enter the vinery. He hoped the noble Lord would take this matter into his own hands, and make such arrangements as would remove this paltry toll so offensive to the visitors of the vinery by next Sunday.

Lord JOHN MANNERS thought that the number of seats in Bushey Park might be advantageously increased; but he must remind hon. Members that additional seats could not be supplied without an expenditure of money. He hoped, if there was a slight increase in the Votes next year to supply this want, no hon. Gentleman would get up and complain of the extravagance of the Government in reference to it. With respect to the observation of the hon. Member for Pontefract (Mr. Childers), he had been informed that it had been found utterly impossible to throw the whole expense of repairing the lock upon the Conservators, and therefore the Crown had been compelled to contribute its quota proportionately to the benefit it derived from the water supply at Windsor being kept up. With regard to the penny toll on entering the vinery at Hampton Court, he was not ashamed to say that he was not aware of its existence; but now that his attention had been drawn to it he would make inquiries upon the subject.

Mr. DILLWYN said, the House never complained of any increase in the Votes that were intended for the comfort of Her Majesty, or the convenience of the public, but they did object to expenditure that was entirely useless. There was no justification whatever for the expense now incurred for St. James's Palace. There were few levees held there which could not be held as well in Buckingham Palace, where Her Majesty now held her drawing rooms.

The Committee *divided*: — Ayes 8; Noes 82: Majority 74.

Original Question again proposed.

Mr. LABOUCHERE moved that from the sum of £7,313 for Palaces not in the occupation of Her Majesty, the sum of £5,000 be disallowed.

Motion made, and Question proposed,

"That the Item of £7,313, for Hampton Court Palace, Stables, and Outbuildings, with Orangery and Vinery, be reduced by the sum of £5,000."—(*Mr. Labouchere.*)

Mr. Serjeant GASELEE understood that, as he wished to move a still larger reduction, he must do so before the Amendment of the hon. Member for Middlesex was put. He therefore moved the reduction of the whole Vote by £15,000.

The CHAIRMAN stated that he Amendment could not be put, inasmuch as it had been proposed to reduce certain items in the Vote. After such proposals had been decided, it was not in the power of any hon. Member to move a reduction of the Vote itself.

Mr. Serjeant GASELEE had taken care to propose his Amendment in time; and was disappointed to find that his submission to the ruling of the Chairman had rendered the proposal of his Amendment irregular.

The CHAIRMAN reminded the hon. Member for Portsmouth that his Amendment could not, in any case, have been put, inasmuch as it had been previously proposed to reduce an item in the Vote, and the House had divided on that proposal.

Mr. AYRTON had always understood that the rules by which the deliberations of the Committees were guided precluded any Member, after any particular item had been decided, to move any reduction in an antecedent item. He had, however, never heard that, after the Committee had decided on particular items, it was incompetent for any hon. Member to move a reduction in the entire Vote, and, as he did not see how their proceedings could be carried on under the rule just laid down, he should take the liberty of moving that the Committee report Progress.

The CHAIRMAN said, that he had acted under no rule of his own framing, as the following Resolution, agreed to by the House on the 9th of February, 1858, would show—

> "That where it has been proposed to omit or reduce items in a Vote, the Question shall afterwards be put on the Original Vote, or the reduced Vote, as the case may be, without Amendment."

Mr. BENTINCK asked, whether the pictures at Hampton Court were the property of the Crown, or of the nation. Were they not maintained by sums voted from the Consolidated Fund?

Mr. FAWCETT said, he wished to ask, whether in the opinion of the Government, it would be possible to adapt Buckingham Palace for the holding of drawing-rooms and levees, so that the cost at present incurred in the maintenance of St. James's Palace might be saved, and the site of that building might be turned to some useful public purpose? If he were not satisfied on this point, he should bring the matter before the House on a future day, and move for a Select Committee.

Lord JOHN MANNERS said, that the Question of the hon. Member for Brighton was one to which it would be imsible to give an off-hand answer. It was only after the most minute and careful inquiry that the possibility of adapting Buckingham Palace for the holding of drawing-rooms and levees, and the cost of such an undertaking, could be ascertained; and he was not, therefore, then prepared to give the hon. Gentleman the information for which he asked. In answer to the question put by the hon. Member for Whitehaven (Mr. Bentinck), with respect to the pictures at Hampton Court, he apprehended there could be no doubt that the pictures were the property of the Crown.

Mr. FAWCETT hoped that the noble Lord would make the necessary inquiries respecting the point upon which he had asked for information.

Mr. AYRTON said, he felt it his duty again to advert to the question of Order already raised. If the rule laid down by the Chairman were permitted to stand, it would amount to a complete estopping of their privileges, as it would make it impossible to move anything but the reduction or omission of particular items. This was a question of such importance that the sooner it was brought under the consideration of the House the better, with a view to its being cleared up. In former times, there were no explanatory items; but now these were so numerous that the effect of the rule might be to cause their whole proceedings to be stopped by the most trivial Motion. For instance, if a Member chose to move a trifling reduction, say of £5, on an Estimate and divide the House upon it, no other Member would thereafter be permitted to move the reduction of the Vote, however weighty might be his reasons for so doing. The question was so grave in its nature that he begged the Committee not to proceed further until an explanatory Resolution had been come to by the House.

Sir GEORGE BOWYER fully concurred in the view of his hon. and learned Friend the Member for the Tower Hamlets. It was most important that the Committee of Supply should have the fullest liberty in dealing with the Estimates. They should be able to discuss the Votes in the gross, as well as in their items, with a view to the proper control of the expenditure.

THE CHANCELLOR OF THE EXCHEQUER said, the Resolution read by the Chairman was founded on a very distinct principle—namely, that the House should not divide twice on the same question. If the wish of the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) were complied with, a very unsatisfactory state of things might occasionally arise. One Member might move a reduction of £5,000 in an item and, though he might be unsuccessful, another Member might immediately afterwards move that the whole Vote be reduced by £5,000, which would be virtually seeking a decision twice over. Then, another case might arise. One Member might unsuccessfully move a reduction of £5,000 on one item, a second might move a reduction of £10,000 on another item and be in a minority, and a third might propose a reduction of £7,000 and be in a minority also; yet, the three sections of the Committee who had supported these several Motions might combine, to reduce the whole Vote by the three sums taken together. That state of things would cause great confusion, and prevent the Government from ascertaining with clearness what was the opinion of the House upon the question involved. For these reasons, he thought the Resolution of the House should be adhered to.

MR. AYRTON repeated his belief that the rule would place an unreasonable restraint upon the action of Members in Committee of Supply. He insisted on the right of every hon. Member to question the expediency of any vote as a whole. In a Vote of £175,000, there might be, as as in this case, an item of £1,219 for "Albert Road." According to the ruling, if one hon. Member who objected to the odd £19 made a motion to that effect, another hon. Member who wished the total amount reduced by £25,000 would be precluded from what was his undoubted right. To object to particular items was unwise, and generally useless; the constitutional policy was to move a general reduction of the amount, leaving it to the Government to re-apportion the smaller sum among the different items. The construction now put upon the Resolutions must deprive the Committee of one of its most important powers, and rendered it absolutely necessary that a supplementary Resolution should be passed upon the subject.

SIR GEORGE BOWYER said, he would ask the Committee to suppose a case where one Member wished to reduce a Vote of £200,000 by one-half, while another Member wished to move the total omission of the Vote. If the Member in favour of the omission of the Vote moved first, the other Member could not be heard; and if on the other hand the Member in favour of the reduction of the Vote by £100,000 moved first, the other would, according to the ruling of the Chairman, be precluded from bringing forward his Motion.

THE CHAIRMAN said, he might answer the hypothetical difficulty raised by the hon. Baronet by saying that it would be his duty to decide such a question when it arose. Of course if the whole Vote were affirmed it would be too late to move any reduction; but the hon. Baronet had fallen into an error in supposing that any one could move the omission of an entire Vote. There was no such Motion. It would be a mere negation of the Motion that the sum of £200,000 be granted to her Majesty.

SIR GEORGE BOWYER: That is no answer to my objection. When once an Amendment has been moved to any item of a Vote the Vote must be put, it is now stated, without Amendment. This precludes any Member who wishes to move that the whole Vote be omitted from doing so.

THE CHAIRMAN: If a Motion be made for reducing a Vote, and that be negatived, any other number of Motions may be made afterwards. The hon. Baronet talks of a Motion for the omission of a whole Vote. I say that no such question is put from the Chair. The question is put from the Chair that the whole Vote be granted, and the Member who desires to see it omitted says "No." But the rule is that when once a Motion has been put from the Chair for omitting or reducing an item forming part of a Vote, after that the reduction of the Vote itself cannot be moved. That is the Resolution of February, 1868, and it is in plain and express terms.

MR. GOLDNEY thought the position of the question was this. A Vote might be proposed in its total amount which any Member might move to reduce. If that Motion were negatived it would still be open to him to move the reduction of any item. The ruling of the Chair seemed to him perfectly clear. Supposing a Vote of £70,000 was proposed. It was competent for any hon. Gentleman to move its reduction by £30,000, and if this were negatived Members might move Amendments on the ten separate items of £7,000 of which the Vote was made up. But after these items had all been disposed of it was not competent to go back upon the whole Vote, and move a reduction upon it. The Amendment might be taken in the first instance against the total amount of the Vote, or against any portion of it, and if it were negatived it was still open to move a reduction in a particular item; but after the items were passed a Member could not move a reduction upon the whole Vote.

Colonel FRENCH held that the ruling of the Chairman was correct.

Mr. HEADLAM said, the practice of setting forth a great number of items in a Vote had grown up since the Resolutions were adopted, and therefore it might be wise for the House to consider whether some alteration might not be made in the Resolutions. But he did not see what good could be gained by prolonging the present discussion, since they had no power in Committee to alter the Resolutions.

Mr. SANDFORD said, he had never listened to a more monstrous argument than that of the Chancellor of the Exchequer. Different sections of the House might be defeated in turn upon special Motions, and yet they might concur in thinking that the Estimates as a whole had not been framed with a due regard to economy. He thought some alteration of the rule was necessary.

Mr. AYRTON said, that when the House next went into Committee of Supply he should move a Resolution to amend the Resolution read from the Chair, and to the effect that any hon. Member should have the power of moving the reduction of the whole Vote, notwithstanding that a Member might previously have moved the reduction of a particular item.

Mr. Sergeant GASELEE entered his strong protest against the language of the Chancellor of the Exchequer. Since he had had the honour of a seat in the House he had never heard from a Member of the Government such astounding language.

Question put and *negatived.*

Mr. AYRTON moved that the Chairman report Progress.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Ayrton,*)—put, and *negatived.*

Original Question put, and *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again upon *Wednesday.*

## BOUNDARY BILL.—[Bill 78]

(*Mr. Secretary Gathorne Hardy, Mr. Chancellor of the Exchequer, Sir James Fergusson.*)

### SECOND READING.

Order for Second Reading read.

Mr. GATHORNE HARDY, in moving that the Bill be now read the second time, said, that as any discussion of the measure would probably be on details, such discussion could best take place in Committee.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Gathorne Hardy.*)

Mr. HEADLAM did not wish to oppose the second reading, but thought it right to tell Her Majesty's Government that in some parts of the North of England strong objections were entertained to the machinery of the Bill, especially so far as it related to North and South Shields.

Mr. Serjeant GASELEE objected to the principle of the Bill, which was to take away voters from the country and place them in the towns, thus eliminating the town voters, who were really the Liberal voters. Without going the length of moving the rejection of the Bill, he thought there should be further discussion on this stage, and therefore moved that the House do now adjourn.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Serjeant Gaselee.*)

Mr. CANDLISH did not think any one could object to the principle of the Bill, which was simply that boundaries should be altered.

Mr. Serjeant GASELEE said, he would withdraw his Amendment.

Motion, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Thursday,* 30th April.

House adjourned at half after
Twelve o'clock.

# HOUSE OF COMMONS,

*Tuesday, April* 21, 1868.

MINUTES.]—New Writ Issued—*For* Grantham, *v.* William Earle Welby, esquire, Chiltern Hundreds.

Supply—*considered in Committee—Resolutions* [April 20] *reported.*

Public Bills—*Ordered*—Married Women's Property; Broughty Ferry Provisional Order Confirmation.*

*First Reading* — Married Women's Property [89].

*Second Reading*—Legitimacy Declaration (Ireland)* [87].

*Committee* — Capital Punishment within Prisons [36]; Religious, &c. Buildings (Sites)* [18]; Artizans' and Labourers' Dwellings [1].

*Report* — Capital Punishment within Prisons [36]; Religious, &c. Buildings (Sites)* [18]; Artizans' and Labourers' Dwellings [1-88].

*Third Reading*—Petty Sessions and Lock-up Houses* [75]; Prisons (Compensation to Officers)* [80], and *passed.*

## MARRIED WOMEN'S PROPERTY BILL.

### LEAVE. FIRST READING.

Mr. SHAW-LEFEVRE, in rising to ask for leave to bring in a Bill to amend the Law with respect to the Property of Married Women, said that had there been any important Government Bill in the Paper for that evening he should have hesitated, in the present state of the business of the House, to detain it with any statement at the present stage of the Bill which he should ask the leave of the House to bring in; but, as there was nothing of importance, he hoped he might be permitted to take this opportunity of explaining its object. In the able speech of last year in which his hon. Friend the Member for Westminster (Mr. Stuart Mill) advocated the claims of female ratepayers to the suffrage the argument which had most weight with himself, and he believed with many others who voted with him, was that in which he pointed out the grievances resulting to large numbers of married women from the present state of the law relating to their property. He stated that, as a rule, the wealthy classes escape from the operation of the Common Law by means of marriage settlements; but that this course not being open to the poorer classes, they come under the full force of its severity. He said that if women had a share in the return of Members to this House there could not be a doubt that one of the first measures that would be forced upon our attention would be one for amending this law. The House rejected the claims of the hon. Member, and women would be no better represented in the new House than in the present. It would not therefore be unreasonable that they should take an opportunity of considering the grievances complained of. The Bill which he proposed with this object was almost identical with one which was brought into this House in 1857 by Sir Erskine Perry. That Bill had been prepared, after a long inquiry, by a committee of the Law Amendment Society, of which the noble Lord the Secretary of State for Foreign Affairs was a member, and the right hon. Baronet the Secretary of State for War an active supporter. The Bill was read a second time late in the Session by a majority of 120 to 65; but, notwithstanding this favourable start, nothing more had been done in the matter since that time. It happened that in the same year the Divorce Act was passed; and in the course of it a clause was inserted which, by giving magistrates power to make orders protecting married women from claims on their property and earnings by husbands who had deserted them, remedied to a small degree the evils then complained of. It was thought, he presumed, that, as something had been done, it was not desirable to renew the discussion on the broader question. In the course, however, of the last autumn a very numerous petition was presented to the Law Amendment Society, praying them again to exert themselves on this question, and in consequence another committee was appointed by that learned society, composed of able lawyers and others, who, after an independent inquiry, came to the same opinion as the previous one. It was at the invitation of that society that he now proposed the Bill. Before stating its purport he must ask the indulgence of the House while he stated briefly the effect of the law which was complained of. If he wished tersely and accurately to describe the present state of the Common Law, which regulates the status of nineteen out of twenty marriages in this country, he could not do better than take the words of Shakespeare, in which, when Portia gives her hand to Bassanio, she says—

> "Myself, and what is mine, to you and yours
> Is now converted: but now I was the lord
> Of this fair mansion, master of my servants,
> Queen o'er myself; and even now, but now,
> This house, these servants, and this same myself
> Are yours, my lord."

That, which was then a true description of the Common Law, was true to this day. Marriage, in fact, operated as an absolute gift to the husband of all that the wife had or which would come to her during marriage. It was true that in the case of real property the husband could not dispose of it without the wife's consent; but he received the rents during their joint lives, and might dispose of this interest. With respect to her leasehold and personal property, it was absolutely at her husband's disposal, and if he was reckless or extravagant she had no means whatever of restraining his expenditure. If, in order to provide against penury, she earned any money by her labour, all she earned became the property of her husband, and all her savings belonged to her husband. It would be found, on looking at the depositors' books of the Post Office Savings Banks that a notice was attached to them stating that, although money would be received from married women, it would be paid over to their husbands on application. The husband did as he thought fit with her property, as, indeed, with his own; he was subject to no control on her part; if he was unfortunate it went to his creditors; if he was reckless she could not restrain him. Indeed, at Common Law the wife had no separate existence from that of her husband. She could not contract, or sue or be sued. She and her husband were considered as one person; but that person was not a combination of the two, but was represented by the husband alone. Blackstone, after stating the effect of the Common Law, remarked that the very disabilities to which women were subjected showed how great favourites they were to the law. No women, he thought, would agree to that. Nor, in fact, did the Court of Equity. It would be easy out of the practice and judgments of the Judges in Equity to pronounce the condemnation of the Common Law which it deserved. At what time the Equity Judges first introduced these exceptions it was now difficult to trace; whether it was due to the old ecclesiastical Chancellors or to the earlier lay Chancellors, like Lord Ellesmere and Lord Nottingham, who first transplanted some of the more equitable doctrines of the Civil Law, we could not now tell. All that we could say was, that from a very early date equity had recognized the separate existence of the married woman and the possibility of her having a separate estate. If Shakespeare had lived in the present day he would probably not have described the high-spirited, noble, and wealthy Portia as so completely handing over herself and her property to her husband; she would have made favourable arrangements for herself, and by means of marriage settlements and trustees have provided for a separate estate during marriage, free from her husband's control. It would not be uninteresting if he were to point out the various stages by which the Courts of Equity have advanced towards carrying out a more just policy to married women. They began by recognizing the fact that through trustees a separate estate could be secured to the wife free from the control of the husband; they then went a little further, and conceded to her what was called an equity to a settlement—that was, in the case of any money coming to her after marriage, they recognized that in certain cases the wife was entitled to a portion of this to her separate use, so as to secure her against her husband's improvidence. At the same time, they had proceeded very timidly and cautiously, not liking to give her all. By way of illustration he gave two cases; in one, a married woman, whose husband had become insolvent, and who was utterly unprovided for, became entitled as next of kin to £1,000. She applied to the Court of Chancery to have it settled to her separate use, free from her husband's creditors. Lord St. Leonards would not give her the whole of it; he directed £600 to be given to the wife and £400 to the creditors, who, he said, with curious logic, were entitled also to some compassion for their wives and children. In another case a husband had deserted his wife, leaving her unprovided for; he was living with another woman, under circumstances which made it impossible to suppose that he could ever return to his wife. The wife became entitled to £6,000, and applied to have the whole settled upon herself; the Court would not give her the whole, but directed one-fourth of the sum to be paid to the scoundrel who was her husband. Lord Cottenham in a case before him stated the grounds for giving a wife what is called her equity to a settlement in a way which clearly showed how inadequate the process of equity is for really dealing with the case. Lord Cottenham said—

> "The Common Law gives to the husband the property of the wife, upon the ground that he is liable to maintain her, and makes no provision for the event of his failing or becoming unable to perform that duty. If the property be attainable at law

> by the husband or his assignee at law, the severity of this law must prevail; but if it cannot be reached otherwise than by the interposition of this Court, equity, though it follows the law, and therefore gives to the husband or his assignee the life estate of the wife, yet withholds its assistance for that purpose, until it has secured to the wife the means of subsistence; it refuses to hand over to the assignees of the husband the income of the property which the law intended for the maintenance of both."

The Courts of Equity had not only given to the wife her equity to a settlement, and recognized the possibility of her having a separate estate; but they had given her in respect of her separate estate all the incidents attaching to property, the right to contract with respect to it, and to sue and be sued in the Courts of Equity. A woman in equity could be a separate trader; she could also sue her husband in equity; and the Court would in some cases hold him to be a trustee for her, and compel him to do what was right. Through these decisions of Chancery a system had grown up, under which, by virtue of marriage settlements, the wealthy classes, almost without exception, escaped from the operation of the Common Law. No man of position or wealth would dream of allowing his daughter to marry under the simple condition of the Common Law, no matter how favourable appearances might be. He would very properly insist upon a marriage settlement, to secure her against the husband's misfortune or neglect. If the lady were wealthy a portion of her fortune would be settled on her to her separate use. It rarely happened in the upper classes, therefore, that a wife found herself under the provision of the Common Law only; but exceptional cases were sufficient to condemn that law, and he presumed few persons would fail to recollect some case of hardship to married women, even among the wealthy. The very fact that the wealthy as a rule set aside the law was the best evidence that they were not satisfied with it. But if this were so with the wealthy, far more so was it with the humbler classes. It was universally admitted that marriage settlements and trusteeships were quite inapplicable to the case of very small fortunes, or to cases where women were earning small incomes by professions or by wages. The result was that these people were left without any protection from the effect of the Common Law, and the consequences were often disastrous. If the marriage turned out well, if the husband were prudent, trustworthy, sober and kind, no harm resulted; but if he proved reckless, improvident, vicious, self-indulgent, drunken, or even only unfortunate, everything the wife had would be swallowed up, and her position would become one of great hardship. The fact that the husband had uncontrolled property in his wife's savings and earnings was then the fruitful source of wretchedness. It often acted as an inducement to the husband to become idle or drunken; it prevented the wife having that moral control over him which she might otherwise have; it sometimes took from the wife the motive for exertion, and urged the family downward in its career of misery. The Census showed that out of 3,200,000 wives in this country upwards of 800,000 were employed in professions and trades of various kinds. Almost without exception these persons were without the protection from the Common Law which the wealthy had found so necessary; their earnings belonged to their husbands and not to themselves. Yet it seemed that what a woman earned by her own exertions ought to be far better secured to her than anything even which comes to her by bequest or descent. If we reflected for a moment upon the number of those women who, having made an unfortunate choice, found themselves bound for life to bad husbands, some idea might be gained of the amount of unhappiness and wretchedness resulting from the operation of the Common Law, unhappiness which might be greatly alleviated, though not perhaps removed, by its change. There was, perhaps, no one in the House who had not become acquainted with some case of peculiar hardship. He could mention many, but would refer only to two. In one case a wife who earned money by her own work had, unknown to her husband, put by a little store in the savings bank against a bad day; her husband, a dissipated, improvident man, suspecting the fact, tested his wife by suddenly saying to her, "Do you know the savings bank has failed?" The poor woman fainted from the shock, and her husband immediately went off and drew out her money. In another case, which he had been told was very common, a married woman, who was clever and industrious and could easily earn money, had for a a husband an engineer on board a man-of-war, whose practice it was to come back to his wife after his cruize, and in a few weeks to clear his wife out by living upon her savings and the proceeds of a sale of her small stock in trade. As he was not cruel to her within the meaning of the law, and as his absence on a cruize could not be deemed desertion, she could get no reparation; she had no resource but to submit to his periodical visitation. He would not multiply cases; they were matter of common knowledge, and he was certain there was no statesman, philosopher, or lawyer who, after a candid consideration, would not admit the Common Law of this country was unjust in its operation upon large classes of people. The only question was whether to proceed further in the direction of the exceptional provisions of equity, eating into the principle of the Common Law, but leaving that law still in the fundamental groundwork of the system, or whether to make a change in the Common Law itself, and to give to the married woman an absolute property in her own fortune, earnings, and savings. He believed the latter was the true course to take. The whole process of equity was really inapplicable to the great bulk of the people; the law itself should deal equitably with the case of married women. It was not sufficient to meet the case by expedients, which could only be brought into operation by ante-nuptial arrangements or by special applications. It was often too late already when these applications were made; and the great bulk of people did not understand or could not get the legal advice to enable them to take advantage of them. The Bill, therefore, which he ventured to introduce proposed to make a change in the Common Law itself, so as to prevent in the future marriage operating as a transfer of the wife's fortune to the husband. In the case of existing marriages it would secure to the wife any future earnings which she might make or any property which she might hereafter become entitled to, and in respect of such separate property the wife would be able to contract and to sue and be sued in the Law Courts as if she were a single woman. The change might seem a startling one, but it would not really be very great. He believed it would make very little difference with the wealthy; it was not proposed to interfere with the power to make marriage settlements, but in those exceptional cases where no settlement was made the wife would have there her own fortune, just as if it had been settled to her separate use under a marriage settlement. It was with the humbler classes that the change would be the greatest, and it was there the change was most needed. He would not on the present occasion deal with all the objections which would probably be raised. There were two points, however, on which it was advisable to say a few words. It would be urged that, as the husband was responsible for the maintenance of his wife and children, it was only right that he should have his wife's fortune. He had already shown that there was no legal means of enforcing this obligation of preventing him from disposing of the means of fulfilling it, and that equity gave this reason for its interference; but even where the husband did not part with his wife's money, but retained it in his hands, his legal obligation to maintain her was of the most shadowy character. It had sometimes been thought that the wife, when living with her husband, had a right to pledge his credit with tradesmen for the supply of necessaries according to her station in life, but a recent decision had shown that even this was not so. The wife was now held to be only his agent for ordering goods of tradesmen as long as he pleased; and if he withdrew his authority, even without public notice, if he only forbade her to order goods or to pledge his credit, she had no right to do so. The ground on which this was held was that the husband ought to be absolute master of his own style of living, and that it ought not to be left to a jury to say how his wife should dress. The husband might treat her, in fact, as Petruchio did Katherine. Sir William Erle said—

> "If the wife, taking up goods from a tradesman, can make her husband's liability depend on the estimate by a jury of his estate and degree, the law would practically compel him to regulate his expense by a standard to be set up by that jury."

The reasoning seemed sound, but the result was that the husband's legal liability to maintain his wife was reduced to the merest shadow; if she lived apart from him, without any fault of her own, then it seemed that he was liable to tradesmen who supplied her with necessaries; but she had no direct remedy against him, and this circuitous process was of very little value to the woman. He had received information from two of the leading magistrates in London, showing what hardship often resulted to women who had been deserted by their husbands and who refused to support them. There was no means of getting at them, even though they might be making good wages in the same parish in which their wives were receiving parochial relief. If the legal responsibility for the wife were small, it was still less in the case of the children.

> "However plain the moral obligation" (said Mr. Justice Blackstone) "that every man shall provide for those descended from his loins, it is one which the Common Law seems to have given ne means of enforcing."

The Statute Law had done no more except to provide against the case of the father allowing his children to fall upon the parish; if he did this, he was liable to be punished criminally. Short of this, he might do as he liked with his children; he was not bound to educate them, or feed, or dress them after any style appropriate to his own or his wife's fortune. Where the law had been content with the moral obligation, it was obvious that the children would be as well off where the mother shared that moral obligation as where it fell only on the father, and therefore, on the one hand, no argument could be founded on this in support of the present law; and, on the other hand, it was not necessary in any change that was made to provide specially that the wife should be liable to contribute; it might be properly left to moral obligations. Then, again, it would be said that it would be fraught with danger to teach married couples that there might be a separation of interests, and that to introduce into any home the principle of separate rights, interests, and a separate legal existence would detract from the sacredness of marriage. That argument, if good at all, was good against the whole doctrine of separate estate as now allowed by Chancery under marriage settlements. It did not seem that in the case of the wealthy they attached much importance to this argument; nor could he ascertain that any real harm resulted from those cases within his knowledge where the wife has a separate estate; but we had a far wider experience to draw upon than the comparatively few such cases in this country. In the United States for the last twenty-five years the various States had been legislating in the direction which he advocated. They inherited from us our Common Law, but they had not respected it as we had. Some of the States at once went the full length of the present Bill; others proceeded by slow degrees, but now, almost without exception, married women had their separate property throughout the States. Vermont adopted this in 1847; New York made a step towards it in 1840, and completed it in 1860; Pennsylvania in 1848; Massachusetts in 1855; and the experience everywhere of the results had been favourable. The change had given great satisfaction. An eminent lawyer, Mr. Dudley Field, who was mainly concerned in drawing up the Code of New York, speaking on this point in public, said he did not believe there was a single person in his State who wished to return to the Common Law; every change had been in the direction of carrying out the new principle still further. It had not been found that any evil had resulted; the sanctity of marriage had not been impaired; the homes of New England were as happy as they were before, while cases of great hardship had been redressed, and the status of women, particularly in the lower classes, had been greatly improved. If he wanted further authority, he could quote from the recent Reports of the Indian Law Commission, composed of the most able lawyers in the country, Lord Romilly, Sir William Erle, Mr. Justice Willes, Sir Edward Ryan, the right hon. Gentleman the Member for Calne (Mr. Lowe), and others. They were instructed to frame a code of Civil Law framed on English principles, but with such alterations as they thought fit—a code which would form the general law of all classes in India, subject to the special customs of certain sects. [Mr. LOWE: Not of the Hindoos and Mahommedans; to the Europeans and Eurasians it will apply.] These Commissioners, after careful discussion, rejected the Common Law of England, and had given to married women their separate property and a right to contract. These recommendations had already passed into law. Could any one doubt if it were referred to the same Commissioners what ought to be the Law of England that they would report to the same effect? In conclusion, he would only add that just as there was no civilized country in the world where the law was so unfavourable to married women in respect of their property as in England, so he believed that there was no country where so much good was to be achieved in raising the status of women of the lower classes by giving to them their earnings and their savings. He did not take any sentimental view of this question; he refrained from expressing his opinion whether women were or were not the equals of men. He put the question upon expediency and experience. Let them have as far as possible fair play, remove unequal legislation, and women would then speedily find their true level, whatever that might be, for which by nature they were intended.

Bill to amend the Law with respect to the Property of Married Women, *ordered* to be brought in by Mr. Shaw-Lefevre, Mr. Russell Gurney, and Mr. Stuart Mill.

Bill *presented,* and read the first time. [Bill 89.]

## PROCEEDINGS IN COMMITTEE OF SUPPLY.—RESOLUTION.

Resolution [9th February 1858] relative to Proceedings in Committee of Supply read, as followeth :—

> "That when it has been proposed to omit or reduce items in a Vote, the Question shall be afterwards put upon the original Vote or upon the reduced Vote, as the case may be, without amendment."

Mr. AYRTON rose to move the following Resolution :—

> "That the Resolution of the House on the 9th day of February, 1858, That when it has been proposed to omit or reduce items in a Vote the Question shall be afterwards put upon the original Vote or upon the reduced Vote, as the case may be, without amendment,"

be rescinded ; and that, instead thereof, it be resolved—

> "That when it has been proposed to omit or reduce items in a Vote the Question shall be afterwards put upon the original Vote or upon the reduced Vote, as the case may be, unless an Amendment be moved for a reduction of the whole Vote."

He had been induced to bring forward this Resolution in consequence of what occurred last night in Committee of Supply with regard to the Vote for Palaces, &c. In former times it was the practice of the Crown to make a general demand upon the House for certain sums which were considered necessary for the public service ; and it was the practice of the Committee to express its opinion by granting the whole of the sums so demanded, or by diminishing it, leaving to the Crown the responsibility of applying the money to the necessities of the country. It was found that the Crown, instead of appropriating the public money in the manner suggested when the Supplies were asked, sometimes, by the ill advice of the Ministers of the day, appropriated the money for other and different purposes, and it was found necessary to provide means for more specifically applying them, and then the practice grew up of having the Votes divided under separate heads. But such was the disinclination of the House to any very minute investigation of the details of Supply, that the Government was permitted to apply any savings which might be made under one particular Vote to the purposes of any other Vote. That went on for some years, and it was competent for any Member to move to reduce the amounts. A few of the items of the great services of the country came before the Committee, and the miscellaneous Estimates in larger amounts. When the spirit of reform and retrenchment began to prevail, a new system was introduced—that of having each Vote divided into a number of items. In fact, each Vote came to be accompanied with a Schedule of explanatory statements. In 1857, when that practice had grown to a considerable extent, difficulties arose in Committee of Supply with respect to the expenditure for palaces and public buildings in the occupation of the Crown ; and the confusion became so great that he (Mr. Ayrton) ventured to suggest that, when a question was raised as to a particular item, the discussion should for the time be taken on that item, and questions with respect to it should, at the close of such discussion, be put from the Chair. The subject was afterwards brought under the consideration of the House, and a Resolution was moved by Sir Denham Norreys, that if any question was raised in Committee of Supply respecting a particular explanatory item, that the Vote of that item should be debated, and the sense of the Committee taken upon it ; but the right hon. Gentleman the present Prime Minister and other experienced Members of the House pointed out the great dangers that might arise from altering a proceeding that had prevailed for upwards of 200 years, and a Select Committee was appointed in consequence to consider what was the best mode of taking Votes in Committee of Supply. That Committee agreed to certain Resolutions, one of which stated that, when the question had been taken on a particular item, no question should subsequently be put on a preceding item ; but, when any reduction occurred, the next question to be put was that on the Motion that the Vote should pass. The Committee reported at the end of the Session of 1857, and in 1858 a proposal was made by the then Chancellor of the Exchequer to give effect to the Report. With this object certain Resolutions were moved at two o'clock in the morning, without any serious consideration or discussion. Now, the point to which he had to call the particular attention of the House was that the most important of those Resolutions, instead of being identical with the Resolution to which he had just referred as having been adopted by the Select Committee, was not in accordance with that Resolution. This Resolution was passed by the House—

> "That when it has been proposed to omit or reduce items in a Vote the Question shall afterwards be put on the original Vote or on the reduced Vote, as the case may be, without amendment."

He thought the real signification of that Resolution had not been brought under the notice of the House. It amounted to this—that if any Member in Committee of Supply submitted for the consideration of the Committee the omission or reduction of an item, however small, from the explanatory statement of a Vote, after that proposition had been put from the Chair, it should not be competent to any Member to move the reduction of the whole Vote. The practical result was that if, on any great Vote, a Member proposed that an item in it, however trivial, should be considered, every hon. Member would be precluded from canvassing the expediency of the whole Vote and its general effects. In the Navy Estimates the first item was "Payment of Officers and Men." Supposing an hon. Member questioned the policy of maintaining the Navy on its present footing in time of peace, the proper mode of proceeding was to move the reduction of the number of officers and men. His objection was to the general policy of the Government. He objected to the policy of maintaining so large a force; and his mode of getting an expression of the opinion of the House was, to move that the Navy ought to be reduced one-fourth or one-fifth of its present number; but to cast on the Government the duty and the responsibility of determining, if the House decided in favour of the reduction, how the reduction should be carried into effect. His was a question, not of detail, but of policy. The item for wages was £3,036,000. He had a right to propose to reduce the number by 4,000 or 5,000 men. But, according to the decision of the Chairman last evening upon the Resolution inconsiderately adopted by the House, if an hon. Gentleman got up and said he observed that we employed 195 flag officers, which he thought was a monstrous number, and that they cost £49,000, and he desired to take the sense of the House whether there ought to be so many flag officers, and he proposed that the sum of £49,000 for 195 officers should be reduced by £10,000; this was a proper Resolution; but then the discussion must be confined to that item. This was a very reasonable and a very proper proceeding. But, if the Chairman put this Motion to the Committee, the Committee were thereby debarred from afterwards voting on the question of policy. Could it have entered into the contemplation of the House, when it passed that Resolution at two o'clock in the morning, that it had adopted a proper mode for conducting the Business of the House? It had been suggested by the Chancellor of the Exchequer that, if Members were at liberty to move the reduction of a whole Vote after a particular item had been canvassed, the same matter might possibly be discussed twice over. In point of fact, however, the particular and general questions were separate and distinct from each other, although they perhaps might, to a certain extent, go over the same ground; whereas, in order to uphold the Resolution, it must be shown that the two questions would necessarily and invariably go over the same ground. Again, the reason assigned by the right hon. Gentleman did not hold good; because, since these Resolutions were passed, it had actually been ruled by the Chairman, in Committee of Supply, that if an hon. Member moved the general reduction of a Vote, and if that Motion were carried against him, another Member might start up and propose a reduction of the items in detail. It so happened that the Resolutions did not prevent this from being done. But his difficulty was this: the Resolution expressly proclaimed that, if a Member discussed a particular item, it was the duty of the Chairman to put the Vote from the Chair; and then it could not be brought forward again. So that a Member had the power of preventing a general discussion of a question of policy. He (Mr. Ayrton) would amend the Resolution in this way: that, after a particular item had been the subject of discussion, any Member should be at liberty to exercise his constitutional right of moving a general reduction of the whole Vote. Was it desirable to have such a proceeding? He had heard the opinion of many Members of that House, and he believed that hon. Members would agree with him that nothing was more expedient, nothing more desirable, if they wished to enforce retrenchment and economy. He thought it most desirable to uphold that principle, and not endeavour to take out of the hands of the Ministers of the Crown the details of administration, but confine themselves to expressing an opinion that the expenditure was too large, and leave the Government to go into the details and ascertain in what way the retrenchment could be best carried into effect. He thought that both modes ought to be preserved. They ought not to allow any individual Member to deprive another Member of the opportunity of bringing any business of this kind before the House. The question was one of such grave importance that he had felt it his duty to bring it formally under the notice of the House.

Motion made, and Question proposed, "That the said Resolution be rescinded." —(*Mr. Ayrton.*)

**The CHANCELLOR of the EXCHEQUER** said, that this was a matter of considerable importance, and he was not at all surprised that the hon. and learned Member who took objection to the proceedings of last evening had brought it before the House; but he thought it was not desirable to decide at once a point only just raised upon a Notice given at an early hour that morning, and of which many Members were not aware until breakfast time. It was desirable that hon. Members should have the fullest opportunity of discussing the Estimates in detail, and moving Amendments; but he did not think that practically the Committee were deprived of that privilege. The hon. and learned Member for the Tower Hamlets thought that every Member should have the opportunity of moving, not only the rejection of an item in the Vote, but the general reduction of the Vote itself. He concurred in this; but he reminded the hon. and learned Member that it was still open to a Member to move the general reduction of the Vote, notwithstanding that another Member had previously moved the rejection of a particular item. That being so, a Member must make up his mind in time whether he would move the reduction of an item or the rejection of a Vote, and would wait until he saw whether an objection to a particular item would succeed. If no such rule were adopted, they might have two decisions on a Vote, placing the Government in a position of considerable difficulty; because it might happen that the Committee would not entertain Amendments for the rejection of a particular item, and adopt that for a general reduction of the Vote, the consequence of which would be that the House having affirmed the item to which objection had been taken, the other items which had not been objected to would suffer in consequence of the general reduction of the Vote. For instance, if in Committee on the Navy Estimates it was affirmed that 195 flag officers were necessary, and the whole Vote was afterwards reduced, the Government would have considerable difficulty in saying how the reduction should be apportioned. He quite agreed that in all cases the better and more constitutional way was to move the general reduction of a Vote; but if the Committee took on itself to discriminate and to affirm an item which had been objected to, it was rather hard on the Government that they were to be called on to reduce others in the Vote. He admitted that there was considerable force in the objection of the hon. and learned Member; but, at the same time, he should be sorry to see the existing rule rescinded.

**Mr. J. STUART MILL** said, that as it appeared likely that this matter would go back for re-consideration, he might be permitted to suggest a further point. The Motion of his hon. and learned Friend was on a very importantand very valuable subject, and formed part of the largest questions. The rules which, in the course of centuries, had been elaborated in this House for the conduct of the Business had been most deservedly admired. But difficulties might arise when the House could only have one Amendment on the same point; because, as soon as one Amendment had been rejected, it had resolved that the original Motion should be put unamended. It might be well for the House to examine this point. According to the rule of the French Chamber, whatever number of Amendments there might be moved, the question of precedency was decided in this way:—The Amendment which was farthest from the original Motion was put first, and if this were lost, the others were put in succession. Might it not be as well to adopt the plan here?

**Mr. CHILDERS** said, his right hon. Friend the Chancellor of the Exchequer had concluded his speech without making any recommendation to the House. In fact, the matter ought to be referred to a Select Committee, and he wished to know if his right hon. Friend had any objection to the adoption of that course; or did he merely propose the adjournment of the subject to a future day? He understood his right hon. Friend to say that if a particular item was objected to and discussed, the decision on that item must be conclusive as to the judgment of the Committee on the whole Vote.

THE CHANCELLOR OF THE EXCHEQUER : The rule laid down by the Chairman last night was, that after the decision of the Committee had been taken on a particular item in the Vote, it was not competent to an hon. Member to move the rejection of the whole Vote.

MR. CHILDERS was quite aware of the fact, but he also understood the right hon. Gentleman to contend that that rule was quite right ; because if it was afterwards competent to the Committee to reduce the whole Vote, the Government would be in a difficulty with respect to its distribution among items unobjected to; but he thought this hardly a conclusive objection. It often happened that while some hon. Member who objected to the whole Vote on general grounds of economy, not possessing the necessary information, which was in possession of the Government, to enable him to point out objections to particular items, adopted the plan of moving the general reduction of the Vote, there were others who, from having filled official positions, or having devoted themselves very sedulously to the study of successive Estimates, were enabled to point out the objectionable increase of particular items, and who therefore moved their rejection or reduction. He certainly did not think that those who wished to move a general reduction, ought to be precluded from doing so by the rejection of an Amendment reducing an item ; and he suspected his right hon. Friend was in error in supposing that after an hon. Member had moved the general reduction of a Vote, a particular item could be discussed. The form of the Amendment to the whole Vote precluded such a course. But he would take higher ground. It was for the interest of the Government, and every Member of the House, to whatever party they might belong, to give the fullest and freest discussion to any criticism of the Estimates. The present process did preclude the House from criticising the Votes in the way which they wished. The present course might be convenient to the Government at the time ; but he ventured to say that it would be more to their interest, and that of the public service if a fuller and better criticism of the Estimates could be obtained. If the adoption of the present rule precluded hon. Members from dealing with the Votes in the way which they desired, there would be always complaints till it was altered. The new arrangement might involve more time than was at present occupied ; but he was sure the extra discussion would be for the benefit of the public service.

MR. GOLDNEY said, he could not understand how the ruling of the Chairman last night interfered in any way with the privileges or powers of hon. Members in criticizing the Votes. He believed he was right in saying that the effect of the present rules was this, that when the Vote was read from the Chair, any hon. Member might move that it be reduced. If that opportunity were not taken advantage of, and the items of which the Vote consisted had been gone through and discussed and passed, it was not then in the power of any Member to move the reduction of the Vote by any particular sum, though he could still divide the House on the question that the whole Vote be rejected. This seemed to him to be a common-sense and practical method of conducting Supply. It could give rise to no actual inconvenience if hon. Members clearly understood the effect of the rule, and he saw no ground for assenting to refer the point to the consideration of a Committee.

COLONEL FRENCH said, he could see no good cause of complaint against the course pursued. He did not see that the hon. and learned Member (Mr. Ayrton) had made out the slightest case; but if the House thought differently, he suggested that the question should be referred to the Standing Orders Committee.

MR. DISRAELI said, he was a Member of the Committee of 1858, and very much approved of the Resolutions then arrived at. With regard to the point now under discussion, his impression was not in favour of the course suggested by the hon. and learned Member (Mr. Ayrton); but he admitted the gravity of the point, and should like a longer time for its consideration. After what occurred last night, he had no idea that they would be called on to decide the point to-day. It did not appear to him to be a point which should be submitted to a Select Committee. It was a question which would be best discussed in open Chamber, and he thought they would be most likely to arrive at a satisfactory conclusion in that way. He would therefore suggest the adjournment of the debate, so that they might come to some decision after due consideration. He wished it to be understood that he was not pledged to anything, and should be ready to listen to any suggestion that should be made. If, however, the hon. and learned Member for the Tower Hamlets did not object, he should now move the adjournment of the debate till this day week.

Motion *agreed to.*

Debate *adjourned* till *Tuesday* next.

## CAPITAL PUNISHMENT WITHIN PRISONS BILL—[Bill 36.]

(*Mr. Secretary Gathorne Hardy, Mr. Walpole, Mr. Attorney General.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. GILPIN said, he rose to move the Amendment of which he had given notice—

> "That, in the opinion of this House, it is expedient, instead of carrying out the punishment of death within prisons, that Capital Punishment should be abolished."

He felt some difficulty and hesitation in asking the attention of the House to the Motion of which he had given notice. In the first instance, he would express his extreme regret at the absence of his hon. Friend the Member for Dumfries (Mr. Ewart), whose name had been so closely connected with the amelioration of the criminal law, and who had done so much to abolish capital punishment. His reason for bringing forward this Motion now was, that he had a strong conviction that capital punishment was inexpedient and unnecessary; that it did not ensure the purposes for which it was enacted; that it was unjust in principle; that it involved not unfrequently the sacrifice of innocent human life; and further, that it afforded an escape for many guilty of atrocious crimes. Holding these opinions, he could not permit to pass an Act which proposed to re-enact the punishment of death without entering his solemn protest against it, and submitting the reasons why he thought it inexpedient that capital punishment should be inflicted. The late division on this question was no test whatever of the feeling of the House on the question of capital punishment. He was now asked, "Will you bring forward a Motion for the abolition of capital punishment in the face of the frequent murders, of the increase of the crime of murder—at a time when no doubt there are influences at work"—to which he would not particularly allude —"which aggravate the crime to an extent almost unprecedented?" He unhesitatingly replied, "Yes; I will bring it forward now, because, if my principle is good for anything, it is good at all times and under all circumstances." He would remind the House that the atrocious murders which were now being committed, and which they all so much deplored, were murders which were committed under the present law, and he believed would not be committed under the altered state of the law which he desired to introduce. The question he had to deal with was — by what means could they best stop the crime of murder? He disavowed emphatically any sympathy with crime—he disavowed any maudlin sentimentality with respect to this question. He was sure his right hon. Friend opposite (Mr. Gathorne Hardy) would agree with him that the question between them was, how best to prevent the crime of murder. He said, without fear of contradiction, that almost in every instance in which capital punishment had ceased to be inflicted for certain crimes those crimes had lessened in frequency and enormity since its abolition; yet, as regarded murder, where the punishment of death was still retained, the crime had increased not only in number but enormity. In proof of that allegation he might quote statistics; but the fact was well known, and he would not take up the time of the House by doing so. It was also not to be denied that this was a question upon which there had been a very considerable change in public opinion within a comparatively short period of time. Some of those who had the administration of the law in their hands, and some of those who had occupied the position of the right hon. Gentleman opposite (Mr. Gathorne Hardy), had come to the conclusion, at which he arrived many years ago, that capital punishment was undesirable—that it was unnecessary—and that the time had arrived when some other system ought to be adopted. Surely they were not succeeding in putting down murder. They had for centuries tried the *lex talionis*—the life for life principle—and they had miserably failed, and murder still stalked abroad. Earl Russell, in the introduction to the new edition of his work on the *English Constitution,* thus expressed himself as being favourable to the abolition of capital punishment—

> "For my own part, I do not doubt for a moment either the right of a community to inflict the punishment of death, or the expediency of exercising that right in certain states of society. But when I turn from that abstract right and that

abstract expediency to our own state of society—when I consider how difficult it is for any Judge to separate the case which requires inflexible justice from that which admits the force of mitigating circumstances—how invidious the task of the Secretary of State in dispensing the mercy of the Crown—how critical the comments made by the public—how soon the object of general horror becomes the theme of sympathy and pity—how narrow and how limited the examples given by this condign and awful punishment—how brutal the scene of execution—I come to the conclusion that nothing would be lost to justice, nothing lost in the preservation of innocent life, if the punishment of death were altogether abolished. In that case a sentence of a long term of separate confinement, followed by another term of hard labour and hard fare, would cease to be considered as an extension of mercy. If the sentence of the Judge were to that effect, there would scarcely ever be a petition for remission of punishment, in cases of murder, sent to the Home Office. The guilty, unpitied, would have time and opportunity to turn repentant to the Throne of Mercy."

Now, the first objection which he (Mr. Gilpin) had to the punishment of death was its essential injustice. They gave the same punishment to the crime of a Rush or a Manning as they did to that of a Samuel Wright, and other less guilty persons. They had, under the present law, constant occurrences in which the feeling, intellect, judgment, and Christianity of the public were against carrying out the extreme penalty, even in cases where the law was clear and unmistakable as to the matter and there was every reason to believe that it had been justly administered by the Judge who had condemned the criminal. Take, for instance, the case of the woman Charlotte Harris. She was sentenced to death, being *enceinte* at the time. According to custom she was reprieved until her babe was born, and then if the sentence of the law had taken its course she would have been hanged; but public opinion in the meantime had become so strong that the Home Office, even, he believed, in opposition to the judgment of the Secretary of State, had to give way, though the case was a fearful and atrocious one, and her life was spared. Richard Cobden, writing to him (Mr. Gilpin) with reference to this case, said—

"You are right. It is truly horrible to think of nursing a woman through her confinement, and then with her first returning strength to walk her to the scaffold! What is to become of the baby at its birth? is it to lie upon the mother's breast until removed by the hand of Calcraft? Oh, horrible! horrible! Could you not have a meeting to shame the authorities."

Well, there were several meetings—one of 40,000 women, headed by Mary Howitt — and they petitioned the Throne for mercy, and mercy was extended. Then there was the case of Alice Holt. She, too, was pregnant; but the Home Office, having got wiser by this time, would not bring her to trial until after the birth of her child. Then they brought her to trial, sentenced her to death, and carried out the execution. Against the injustice of such a proceeding he had at the time most earnestly protested. A practical point most serious to the interests of society was this: numbers of criminals had escaped from the punishment due to their crimes, because of the unwillingness of juries to incur the possibility of convicting the innocent. He believed it was on this ground that Mr. Waddington, the former Under Secretary at the Home Office, came almost to the opinions that he (Mr. Gilpin) entertained. He knew it did not appear in his evidence before the Royal Commission; but Mr. Waddington told him though looking at the matter from a different stand-point and urged by different arguments, still he had very nearly come to his (Mr. Gilpin's) opinions that it would be desirable for the interests of society at large that the abolition of capital punishment should take place. He (Mr. Gilpin) believed it was not too much to say that there were men and women walking about red-handed amongst us—persons unquestionably guilty of the most atrocious murders—who, had the punishment for their crimes been other than capital, would be now immured in prison, utterly unable to repeat such crimes as those for which they had been already tried. This arose from the unwillingness of juries to convict—an unwillingness which did them honour—unless they had evidence positive and indisputable. It was right that evidence which would suffice to convict a man where the punishment would be fourteen years, or imprisonment for life, should be regarded as utterly insufficient to convict a man when the sentence would send him out of the world. Some twenty years ago Charles Dickens wrote a series of letters in *The Daily News* on the subject of capital punishment; and in one, headed "How Jurymen Feel," he said—

"Juries, like society, are not stricken foolish or motionless. They have, for the most part, an objection to the punishment of death; and they will, for the most part, assert it by such verdicts. As jurymen in the forgery cases (where jurors found a £10 note to be worth 39*s*., so as not to come under capital punishment) would probably reconcile their verdict to their consciences by calling to mind that the intrinsic value of a bank-note was almost nothing; so jurymen, in cases of murder, probably argue that grave doctors

> have said all men are more or less mad, and therefore they believe the prisoner mad. This is a great wrong to society; but it arises out of the punishment of death. And the question will always suggest itself in jurors' minds, however earnestly the learned Judge presiding may discharge his duty—which is the greater wrong to society?—to give this man the benefit of the possibility of his being mad, or to have another public execution, with all its depraving and hardening influences? Imagining myself a juror, in a case of life or death, and supposing that the evidence had forced me from every other ground of opposition to this punishment in the particular case than a possibility of immediate mistake or otherwise, I would go over it again on this ground, and, if I could by any reasonable special pleading with myself find him mad rather than hang him, I think I would."

He had alluded to the numbers of persons who had escaped justice altogether, because juries could not make up their minds to convict under such circumstances; but there was another view of the case, and that was the execution of innocent persons, and when he said innocent persons, he meant persons innocent of the crimes with which they were charged. He would not delay the House by quoting what he quoted on a former occasion—the evidence of Daniel O'Connell, or the evidence of the present Lord Chief Baron, as to the frequency of the execution of innocent persons. But he would call the attention of the House to a case which occurred in 1865—that was the Italian Pollizzioni, who was tried for the Saffron Hill murder, when one of the most humane of our Judges expressed his entire belief that the conviction was right. Pollizzioni was sentenced, and was within a few days of being hanged. Law had done its best and its worst, when Mr. Negretti — of the firm of Negretti and Zambra—heard of the case, and became convinced that the man was innocent. He busied himself in getting evidence, which at last satisfied the Home Secretary, not that the prisoner deserved secondary punishment, but that he was absolutely innocent, and then he was taken out of the condemned cell. But for the interference of a private individual this man would have been hanged. It might be said that a case like this was very exceptional, and God forbid that it should be frequent; but within a few months there was the case of another man at Swansea, Giardinieri—oddly enough, also an Italian—who was sentenced to death, and was within a short time of being hanged. Evidence was, however, procured which showed him to be innocent. These were solemn facts. Charles Dickens said—

> "I entreat all who may chance to read this letter to pause for an instant, and ask themselves whether they can remember any occasion on which they have in the broad day, and under circumstances the most favourable to recognition, mistaken one person for another, and believed that in a perfect stranger they have seen going away from them, or coming towards them, a familiar friend."

Hence there should be a reasonable hesitation as to an irrevocable verdict. The frequency of cases of mistaken identity were notorious. Mr. Visschers, who held a high position in the Government of the King of the Belgians, stated that in his experience three men convicted of murder appealed to the Court of Cassation, when the conviction was confirmed. The King, however, commuted their sentence into one of perpetual imprisonment; but their innocence being afterwards established, they were liberated, and granted annuities for life. Mr. Serjeant Parry stated, in reply to a Question by Mr. Waddington—

> "I could mention six or eight instances within my own knowledge in which men have been acquitted, purely upon the ground that the punishment was capital."

And in reply to Mr. Bright, the learned gentleman said—

> "I know that juries have acquitted men clearly and beyond all doubt guilty of murder, and some of the very worst murders that have ever been committed in this country, and have done so simply because the punishment has been the punishment of death. They would have convicted if the punishment had been imprisonment for life, or any punishment short of taking the life of the man, and they have seized hold of any excuse rather than be agents in putting capital punishment into operation."

This was not unreasonable; because a man, if wrongly transported, as in the case of Mr. Barber, the solicitor, could have compensation made to him, but not so if wrongly hanged. Many years ago Sir James Mackintosh stated before a Committee on the Criminal Laws that during a long cycle of years an average of one person was executed every three years whose innocence was afterwards proved. And Sir Fitz Roy Kelly stated, in 1839, that there were no less than fourteen innocent persons within the first forty years of this century who had been convicted, and whose innocence since their death had been fully established. And doubtless the average of one innocent person every three years was much too low, because it should be remembered that after the person was executed there was no motive to discover whether he or she were innocent or not. It was only necessary again to refer to the well-known case of Samuel Wright, a working carpenter in Southwark, to show the inequality of the law, and that, too, resulting simply from the character of the punishment. He believed no jury would have found Wright guilty on the charge of murder, and that no Judge but one would have left him for execution. The prisoner, it was true, pleaded guilty to the crime, and neither the counsel nor the Court could induce him to retract the plea; but it was clear from the facts of the case that this was not a case of wilful murder. The man was awoke in the night, and was dragged out of bed by a violent woman with whom he lived. He struggled with her, and seizing his razor, which was lying in his way, without premeditation he killed her. He was brought up for trial, and he pleaded guilty. They could not expect a carpenter to be trained to the niceties of the law, and it could not be wondered at that he, a conscientious man, determined to plead guilty. Almost at the last moment a very large body of his fellow-working men came up to the Home Office to plead that his life might be spared. The present Government was not then in office. [Mr. BUXTON: Who was the Home Secretary?] His right hon. Friend the Member for Morpeth (Sir George Grey). It was thought, most unwisely in his opinion, that the appearance of so large a body of working men on such a subject was an attempt to terrorise the Home Office, and a deaf ear was turned to their pleadings, which might wisely have been granted. Samuel Wright was executed, and that in the face of Charlotte Windsor, the hired murderess of babies, who, to solve some of the subtleties of law, was brought from one part of England to another, and after all was only imprisoned for life. He could never forget the morning of that execution. The people in the neighbourhood, instead of rushing to see the execution, had their blinds drawn down. It was a case which it would take a long time to wipe out from the memories of the people of that neighbourhood. That happened about the time that Townley, another murderer, was acquitted on the ground of insanity—a plea which his subsequent suicide showed to be true. But the question of insanity was one of the most uncertain character; the dividing line was disputed by doctors, and even by doctors in divinity; and the result was that in the case of men who were executed no time was allowed to show whether the crime was the result of a diseased brain, or of that moral obliquity which was rightly the subject of punishment. He felt grateful to the House for the indulgence they had shown him on a subject which had occupied his attention for twenty years. Now, he would ask, what was capital punishment? The punishment of death? No, it was not that. The sentence of death was decreed upon all of us by a higher than a mortal Judge. We but antedated the sentence, and by how much this was done no man could know. A man might be sent to the gallows who, according to medical opinion, could not live three months—and, in fact, a man had been recently executed, of whom the medical man said he could not live three months if he died in course of nature, and another man with a prospect of a long life. But what was the punishment? It was not death; it was antedating the sentence passed upon us all by the Most High. From ten thousand pulpits in the land, they were told, and rightly told, that for the repentant sinner the gates of Heaven were open, whether his death was a violent one or not; and yet in the face of those sermons they said—he did not mean that the Judges say it in so many words—"Your crime is so great that there can be no forgiveness with man; but appeal unto God and he may forgive you if you appeal in the right way and pay due attention to your religious advisers." We told the criminal in one breath that his crime was too great for man to forgive—that he was not fit to live on earth, but we commended him to the mercy of the Highest. We said, in effect, that those feet "which would leave no stain on the pure pavements of the New Jerusalem would leave the polluting mark of blood upon the ground that mortals tread." He knew not how to escape from this argument. If criminals were fit to die the time of their going to Heaven was hastened; and if not fit to die, they were allowed to go with all their unexpiated crimes on their heads before their final Judge. If we believed that faith which we professed, then the greater the sin the greater the need for repentance; and it was something monstrous that we should set ourselves up to decide that a fortnight from the date of his sentence was enough time for the worst murderer to make his peace with God. If we believed there was need for that peace-making, let us give the murderer the time which God would give him to make his peace with Him. If we wanted to teach mercy, let us set an example of that mercy, and at all events stop short of shedding human blood. And if we would teach reverence for human life, let us not attempt to teach it by showing how it may be speedily taken away. He therefore moved the Amendment of which he had given notice, convinced that by the entire abolition of capital punishment, and the removal from their criminal code of the principle of revenge—the life for life principle—they would inaugurate an era in which the sanctity of human life would be regarded more highly than it had hitherto been, and in which the sense of that sanctity, permeating through society, would result in a great lessening of the crime of murder, and consequently in increased security to the public of this country.

Mr. LEEMAN seconded the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is expedient, instead of carrying out the punishment of death within prisons, that Capital Punishment should be abolished,"—(*Mr. Gilpin,*)

—instead thereof.

Mr. GREGORY said, the question before them was not, as the hon. Member who had just spoken seemed to suppose, one of softening the heart or saving the souls of murderers, but of preventing the Queen's subjects from being murdered. The balance of all authority, as far as they could arrive at it, was that the punishment of death was the great deterrent for murder. Of the eminent men who composed the Commission of 1866, they had the authority of eight in favour of continuing capital punishment; and as to the four who were for abolishing it, they entered the Commission with minds already made up, having been Members of the Society for the Abolition of Capital Punishment. The opinion of all the Irish Judges was unanimous in favour of retaining that punishment, and the opinion of the English Bench was also unanimous to the same effect, with the exception of that of the late Mr. Justice Shee. The opinions of those best acquainted with the criminal classes were to the same effect. The governors of gaols stated that the fear of death alone restrained the miscreants they had in charge from attempts on the lives of the prison officials; and it was clear that it must be so. If a man be condemned for one murder to penal servitude for life, how could he be restrained from another murder. Punishment could go no further. He would be left to the indulgence of his brutal instincts without a check. The police officers examined before the Commission, who gave most intelligent evidence, one and all said that, from their experience of our most desperate criminals, they felt convinced they would have "knifed" this person and that, were it not that they were afraid, to use their own phrase, of being "scragged" or hanged. Pusey, a desperate burglar, who broke into a house in which an old lady and her housemaid lived, said, with an oath, that he would have "choked" both the housemaid and the old lady if it had not been that he was afraid of being "choked" himself. This they would find upon the testimony of Inspector Tanner, who added that such was the desperate character of the man that he would have carried out the threat with as much coolness as he would have eaten his breakfast. Another desperado, Palin by name, who committed murder, was sent to Australia, and after perpetrating a horrible outrage in that country was condemned to death. Just before going to the scaffold he wrote a letter, in which he declared that the blood of his last victim rested upon those who had spared his life in the first instance, when he ought to have been hanged. But it was said that those who were assassins were not, generally speaking, persons who belonged to the marauding and dangerous classes. They committed every other crime but fell short of this, and the reason given was, that these people had a horror of taking life. This was a strange reason, and he should not have alluded to it but that some stress had been laid upon it by so high an authority as Lord Romilly. He (Mr. Gregory) had already shown from the evidence of police officers that it was precisely the fear of the gallows and nothing else, which had restrained these desperate men. Did they think that those garotters, who took as it were possession of the town a few years ago, were restrained by any tenderness for human life, when they left their victims senseless from blows and half strangled on the pavement? Unquestionably not. Did anyone imagine they were prevented from taking life by the risk of having their imprisonment if tried and found guilty, extended from twenty years to imprisonment for life? Were there no punishment of death they would have done the business effectually and have no tales told. Inspector Tanner, who was as well acquainted with the criminal classes as any man in England, represented the invariable feeling among them, no matter how long the period of imprisonment, to be that something would turn up, and that they would eventually regain their liberty; and so great was the difficulty of dealing with the question found to be that even Lord Romilly proposed that, in the case of persons found guilty of murder, periodical flogging should be added to the punishment of imprisonment for life. But a deterrent was wanted, and that deterrent could not be had without publicity. If, therefore, a man were to be flogged within the walls of a gaol beyond the public view, and if he were never to emerge from the precincts of the gaol to tell others what had befallen him, this punishment would wear the aspect of revenge and torture instead of operating as a warning to others, so that that was the position to which Lord Romilly, with all his benevolence, was reduced in endeavouring to provide a substitute for death. Looking to the experience to be derived from other countries, it would be found by a Report which had some time ago been furnished by Mr. Rumbold, our *Attaché* at Berne, who had endeavoured to ascertain how matters stood in reference to capital punishment in several of the cantons of Switzerland, that though, as a general rule, the punishment was there inscribed on the statute book it was rarely enforced; but that, as far as he could ascertain, its maintenance as part of the legal system exercised a deterrent effect. It further appeared, from this Report that in Neufchatel and Friburg capital punishment had been of late years abolished; that in the case of the former no statistics were supplied; but that, so far as Mr. Rumbold's information went, the use of the knife there was steadily on the increase. In Friburg, where during the eighteen years from 1830 to 1848, when capital punishment was in force, only twenty-six murders had taken place, the number had increased during the sixteen years between 1848, when it was abolished, and 1864 to forty-seven. The Minister of Public Instruction in Tuscany gave pretty much the same account of the state of things there — robbery accompanied by murder being, according to his statement, very much on the increase since capital punishment was done away with in 1859. He moreover states that the offenders were rarely detected, because the dead could not identify. But his hon. Friend the Member for Northampton, and those who supported his views, appealed to the number of murders which had been committed in this country within the last few years, for the purpose of showing that the existence of capital punishment did not prevent such crimes. The same argument, however, held equally good as applied to imprisonment, because it did not put an end to the frequent commission of assaults and thefts and burglaries. Were we, then, to give up imprisonment? Many thousand more assaults and robberies would surely be committed if imprisonment were done away with, and so would many hundred more murders be perpetrated if death were not the penalty of the crime. As to the argument derived from the alleged existence of insanity in the case of the offender, everybody well knew how often, after the commission of some desperate and deliberate murder, some soft-hearted doctor or some gentleman who was opposed to the punishment of death, tried to show that a great amount of unaccountable conduct had been exhibited by the culprit—that he had done many strange things in his youth, or that some members of his family had been eccentric. Now, juries listened to this argument. Half mankind is ready to believe the other half to be lunatics. Now, the accused knew well that, if acquitted on the grounds of insanity, he would be locked up for the remainder of his days, and the world would know him no more. But he strove to obtain—and rejoiced if he obtained—and his counsel also rejoiced exceedingly if he obtained this incarceration for ever—anything, in short, rather than hanging. As to the Bill on the subject which had been introduced by the right hon. Gentleman the Secretary for the Home Department, he must confess that he was entirely in its favour. He could not, however, at the same time, conceal from himself that public executions, though in this metropolis they were accompanied by scenes of ribaldry, yet in the country and in Ireland impressed those who witnessed them with a feeling of deep awe. He recollected a speech which a couple of Sessions ago was made by the noble Lord the Secretary to the Admiralty. He described in vivid language the desperate character of the crowd which he saw assembled at an execution in the metropolis at which he was present—their levity and obscenity up to and after the falling of the drop, and he wound up his observations by asking, what advantage could result from such a scene? Now, he was aware that the impression created by it was not all that could be desired; but it nevertheless conveyed to every miscreant in that crowd the lesson that the law had a long hand as well as a strong one, and that for the crime of murder death was the penalty which it inflicted. More than that, he would venture to say that scarcely a single man out of all that evil gathering returned to his home without the conviction that there was a barrier set up against the indulgence of his bloody and brutal instincts beyond which he might not pass without becoming, in all probability, a similar spectacle — finishing his life like some savage beast—an object of execration and abhorrence. Nevertheless, the time had, in his opinion, arrived when public executions ought to be abolished. They were not in accordance with the spirit of the age. They were barbarous and, he believed, demoralizing; and he felt convinced that equal, if not greater, awe might be impressed if they were conducted within the precincts of the gaol. But everything should be done to render the occasion solemn and momentous. Notice of the execution should be given beforehand; the death-bell should be tolled; the black flag raised; and, above all things, the whole of the inmates of the prison should be made witnesses of the scene. Under those conditions, the punishment of death ought, he contended, to be continued. It was better that the murderer should perish than that innocent men and women should have their throats cut. A witty Frenchman lately wrote a pamphlet on this subject, and said—

> "I am all for abolishing the penalty of death, if Messieurs the Assassins would only set the example."

He quoted Montesquieu, who mentioned that, in his time, in England assassinations were rare, because robbers had the hope of being transported while assassins had not. In China, robbers guilty of cruelty were cut into pieces; consequently, they robbed but did not murder. In Russia, the punishment of robbers and murderers was the same; and they invariably assassinated because the dead told no tales. With all the respect, therefore, which he (Mr. Gregory) bore to his hon. Friend the Member for Northampton, he adhered to the opinion of such men as Bentham, Montesquieu, and Fenelon; to the verdict of the late Commission; to the almost unanimous testimony of the English and Irish Bench; and to the unanimous evidence of those best acquainted with the criminal classes; and, while giving his hon. Friend full credit for his benevolence and humanity, he must say "No" to his Amendment.

Mr. NEATE observed that the hon. Gentleman who last spoke inadvertently committed an error in stating that only four members of the Commission were in favour of the abolition of capital punishment, because, in addition to the four members alluded to, Mr. Justice O'Hagan did at a subsequent period intimate by a private memorandum an opinion recommending, though not immediately, the abolition of that punishment. It was also stated before the Commission by many gentlemen representing the Bar of this country that the result of their experience was that there was increased difficulty in obtaining the conviction of guilty persons in consequence of the existence on the statute book of the penalty of death. The present Bill only dealt with the smaller part of the subject which came under the consideration of the Commission. One important object of the Commission was to provide a better definition of the law of murder, and the Bill of the late Government as well as the Bill of last year grappled with that matter; but the present Bill only dealt with the smaller part of the question, having reference to the infliction of capital punishment in private. He objected to the labours of the Commission being dealt with in that way; for he feared that the result would be that the more important part of the recommendations of the Commission would fall to the ground. He admitted that the punishment of death was the most deterrent; but he did not therefore admit that it was the most effectual, or that its abolition would lead to the multiplication of murders. Certainly nothing was so terrible as death; but those who were most impressed with the sight of the scaffold were those who thought least of it when it was removed from their eyes. The same sensual nature which yielded to the terror of present death was least able to realize it at a distance. Murderers were usually, in some sort, courageous men; and if it were put to a Rush or a Palmer, when about to commit a murder, whether in the event of his being found out he would wish that the penalty for his crime should be death or perpetual imprisonment, he believed he would say, "It does not much matter, if I am found out, whether I am hanged or not; but if I am to make a choice, I say let it be death—["No, no!"] —because I know I have a greater chance of escape from the scruples of the jury than if the punishment was perpetual imprisonment." But even allowing for the greater chance of a prisoner's escape from punishment when the penalty attached to the offence he was charged with was death, he nevertheless admitted that the punishment of death was more deterrent, though it did not follow that it was, therefore the the most effectual means for the prevention of crime; for were the punishment of death abolished, improvements in the efficiency of the police or in the character of legislation would more than compensate for the absence of the terror of the death penalty. No doubt sheep stealers were more afraid in former days of being hanged than they now were of being subject to the penalty at present inflicted for the offence of sheep-stealing; but, in consequence of capital punishment being abolished for that offence, the State felt the necessity of improving the police of the country. The county police was accordingly brought into existence, and the crime had since diminished. One great reason why he wished the abolition of this law of murder was that it would compel them to see what they could do, by education and legislation, for the better humanization and improvement of the people. He should vote for the Amendment of his hon. Friend.

MR. J. STUART MILL: It would be a great satisfaction to me if I were able to support this Motion. It is always a matter of regret to me to find myself, on a public question, opposed to those who are called—sometimes in the way of honour, and sometimes in what is intended for ridicule—the philanthropists. Of all persons who take part in public affairs, they are those for whom, on the whole, I feel the greatest amount of respect; for their characteristic is, that they devote their time, their labour, and much of their money to objects purely public, with a less admixture of either personal or class selfishness, than any other class of politicians whatever. On almost all the great questions, scarcely any politicians are so steadily and almost uniformly to be found on the side of right; and they seldom err, but by an exaggerated application of some just and highly important principle. On the very subject that is now occupying us we all know what signal service they have rendered. It is through their efforts that our criminal laws—which within my memory hanged people for stealing in a dwelling house to the value of 40*s*.—laws by virtue of which rows of human beings might be seen suspended in front of Newgate by those who ascended or descended Ludgate Hill—have so greatly relaxed their most revolting and most impolitic ferocity, that aggravated murder is now practically the only crime which is punished with death by any of our lawful tribunals; and we are even now deliberating whether the extreme penalty should be retained in that solitary case. This vast gain, not only to humanity, but to the ends of penal justice, we owe to the philanthropists; and if they are mistaken, as I cannot but think they are, in the present instance, it is only in not perceiving the right time and place for stopping in a career hitherto so eminently beneficial. Sir, there is a point at which, I conceive, that career ought to stop. When there has been brought home to any one, by conclusive evidence, the greatest crime known to the law; and when the attendant circumstances suggest no palliation of the guilt, no hope that the culprit may even yet not be unworthy to live among mankind, nothing to make it probable that the crime was an exception to his general character rather than a consequence of it, then I confess it appears to me that to deprive the criminal of the life of which he has proved himself to be unworthy—solemnly to blot him out from the fellowship of mankind and from the catalogue of the living—is the most appropriate, as it is certainly the most impressive, mode in which society can attach to so great a crime the penal consequences which for the security of life it is indispensable to annex to it. I defend this penalty, when confined to atrocious cases, on the very ground on which it is commonly attacked —on that of humanity to the criminal; as beyond comparison the least cruel mode in which it is possible adequately to deter from the crime. If, in our horror of inflicting death, we endeavour to devise some punishment for the living criminal which shall act on the human mind with a deterrent force at all comparable to that of death, we are driven to inflictions less severe indeed in appearance, and therefore less efficacious, but far more cruel in reality. Few, I think, would venture to propose, as a punishment for aggravated murder, less than imprisonment with hard labour for life; that is the fate to which a murderer would be consigned by the mercy which shrinks from putting him to death. But has it been sufficiently considered what sort of a mercy this is, and what kind of life it leaves to him? If, indeed, the punishment is not really inflicted—if it becomes the sham which a few years ago such punishments were rapidly becoming—then, indeed, its adoption would be almost tantamount to giving up the attempt to repress murder altogether. But if it really is what it professes to be, and if it is realized in all its rigour by the popular imagination, as it very probably would not be, but as it must be if it is to be efficacious, it will be so shocking that when the memory of the crime is no longer fresh, there will be almost insuperable difficulty in executing it. What comparison can there really be, in point of severity, between consigning a man to the short pang of a rapid death, and immuring him in a living tomb, there to linger out what may be a long life in the hardest and most monotonous toil, without any of its alleviations or rewards—debarred from all pleasant sights and sounds, and cut off from all earthly hope, except a slight mitigation of bodily restraint, or a small improvement of diet? Yet even such a lot as this, because there is no one moment at which the suffering is of terrifying intensity, and, above all, because it does not contain the element, so imposing to the imagination, of the unknown, is universally reputed a milder punishment than death—stands in all codes as a mitigation of the capital penalty, and is thankfully accepted as such. For it is characteristic of all punishments which depend on duration for their efficacy—all, therefore, which are not corporal or pecuniary—that they are more rigorous than they seem; while it is, on the contrary, one of the strongest recommendations a punishment can have, that it should seem more rigorous than it is; for its practical power depends far less on what it is than on what it seems. There is not, I should think, any human infliction which makes an impression on the imagination so entirely out of proportion to its real severity as the punishment of death. The punishment must be mild indeed which does not add more to the sum of human misery than is necessarily or directly added by the execution of a criminal. As my hon. Friend the Member for Northampton (Mr. Gilpin) has himself remarked, the most that human laws can do to anyone in the matter of death is to hasten it; the man would have died at any rate; not so very much later, and on the average, I fear, with a considerably greater amount of bodily suffering. Society is asked, then, to denude itself of an instrument of punishment which, in the grave cases to which alone it is suitable, effects its purpose at a less cost of human suffering than any other; which, while it inspires more terror, is less cruel in actual fact than any punishment that we should think of substituting for it. My hon. Friend says that it does not inspire terror, and that experience proves it to be a failure. But the influence of a punishment is not to be estimated by its effect on hardened criminals. Those whose habitual way of life keeps them, so to speak, at all times within sight of the gallows, do grow to care less about it; as, to compare good things with bad, an old soldier is not much affected by the chance of dying in battle. I can afford to admit all that is often said about the indifference of professional criminals to the gallows. Though of that indifference one-third is probably bravado and another third confidence that they shall have the luck to escape, it is quite probable that the remaining third is real. But the efficacy of a punishment which acts principally through the imagination, is chiefly to be measured by the impression it makes on those who are still innocent: by the horror with which it surrounds the first promptings of guilt; the restraining influence it exercises over the beginning of the thought which, if indulged, would become a temptation; the check which it exerts over the gradual declension towards the state—never suddenly attained—in which crime no longer revolts, and punishment no longer terrifies. As for what is called the failure of death punishment, who is able to judge of that? We partly know who those are whom it has not deterred; but who is there who knows whom it has deterred, or how many human beings it has saved who would have lived to be murderers if that awful association had not been thrown round the idea of murder from their earliest infancy? Let us not forget that the most imposing fact loses its power over the imagination if it is made too cheap. When a punishment fit only for the most atrocious crimes is lavished on small offences until human feeling recoils from it, then, indeed, it ceases to intimidate, because it ceases to be believed in. The failure of capital punishment in cases of theft is easily accounted for: the thief did not believe that it would be inflicted. He had learnt by experience that jurors would perjure themselves rather than find him guilty; that Judges would seize any excuse for not sentencing him to death, or for recommending him to mercy; and that if neither jurors nor Judges were merciful, there were still hopes from an authority above both. When things had come to this pass it was high time to give up the vain attempt. When it is impossible to inflict a punishment, or when its infliction becomes a public scandal, the idle threat cannot too soon disappear from the statute book. And in the case of the host of offences which were formerly capital, I heartily rejoice that it did become impracticable to execute the law. If the same state of public feeling comes to exist in the case of murder ; if the time comes when jurors refuse to find a murderer guilty ; when Judges will not sentence him to death, or will recommend him to mercy ; or when, if juries and Judges do not flinch from their duty, Home Secretaries, under pressure of deputations and memorials, shrink from theirs, and the threat becomes, as it became in the other cases, a mere *brutum fulmen;* then, indeed, it may become necessary to do in this case what has been done in those — to abrogate the penalty. That time may come—my hon. Friend thinks that it has nearly come. I hardly know whether he lamented it or boasted of it ; but he and his Friends are entitled to the boast: for if it comes it will be their doing, and they will have gained what I cannot but call a fatal victory, for they will have achieved it by bringing about, if they will forgive me for saying so, an enervation, an effeminacy, in the general mind of the country. For what else than effeminacy is it to be so much more shocked by taking a man's life than by depriving him of all that makes life desirable or valuable? Is death, then, the greatest of all earthly ills? *Usque adeone mori miserum est?* Is it, indeed, so dreadful a thing to die? Has it not been from of old one chief part of a manly education to make us despise death—teaching us to account it, if an evil at all, by no means high in the list of evils ; at all events, as an inevitable one, and to hold, as it were, our lives in our hands, ready to be given or risked at any moment, for a sufficiently worthy object? I am sure that my hon. Friends know all this as well, and have as much of all these feelings as any of the rest of us; possibly more. But I cannot think that this is likely to be the effect of their teaching on the general mind. I cannot think that the cultivating of a peculiar sensitiveness of conscience on this one point, over and above what results from the general cultivation of the moral sentiments, is permanently consistent with assigning in our own minds to the fact of death no more than the degree of relative importance which belongs to it among the other incidents of our humanity. The men of old cared too little about death, and gave their own lives or took those of others with equal recklessness. Our danger is of the opposite kind, lest we should be so much shocked by death, in general and in the abstract, as to care too much about it in individual cases, both those of other people and our own, which call for its being risked. And I am not putting things at the worst, for it is proved by the experience of other countries that horror of the executioner by no means necessarily implies horror of the assassin. The stronghold, as we all know, of hired assassination in the 18th century was Italy; yet it is said that in some of the Italian populations the infliction of death by sentence of law was in the highest degree offensive and revolting to popular feeling. Much has been said of the sanctity of human life, and the absurdity of supposing that we can teach respect for life by ourselves destroying it. But I am surprised at the employment of this argument, for it is one which might be brought against any punishment whatever. It is not human life only, not human life as such, that ought to be sacred to us, but human feelings. The human capacity of suffering is what we should cause to be respected, not the mere capacity of existing. And we may imagine somebody asking how we can teach people not to inflict suffering by ourselves inflicting it? But to this I should answer — all of us would answer — that to deter by suffering from inflicting suffering is not only possible, but the very purpose of penal justice. Does fining a criminal show want of respect for property, or imprisoning him, for personal freedom? Just as unreasonable is it to think that to take the life of a man who has taken that of another is to show want of regard for human life. We show, on the contrary, most emphatically our regard for it, by the adoption of a rule that he who violates that right in another forfeits it for himself, and that while no other crime that he can commit deprives him of his right to live, this shall. There is one argument against capital punishment, even in extreme cases, which I cannot deny to have weight—on which my hon. Friend justly laid great stress, and which never can be entirely got rid of. It is this—that if by an error of justice an innocent person is put to death, the mistake can never be corrected; all compensation, all reparation for the wrong is impossible. This would be indeed a serious objection if these miserable mistakes—among the most tragical occurrences in the whole round of human affairs—could not be made extremely rare. The argument is invincible where the mode of criminal procedure is dangerous to the innocent, or where the Courts of Justice are not trusted. And this probably is the reason why the objection to an irreparable punishment began (as I believe it did) earlier, and is more intense and more widely diffused, in some parts of the Continent of Europe than it is here. There are on the Continent great and enlightened countries, in which the criminal procedure is not so favourable to innocence, does not afford the same security against erroneous conviction, as it does among us; countries where the Courts of Justice seem to think they fail in their duty unless they find somebody guilty; and in their really laudable desire to hunt guilt from its hiding-places, expose themselves to a serious danger of condemning the innocent. If our own procedure and Courts of Justice afforded ground for similar apprehension, I should be the first to join in withdrawing the power of inflicting irreparable punishment from such tribunals. But we all know that the defects of our procedure are the very opposite. Our rules of evidence are even too favourable to the prisoner: and juries and Judges carry out the maxim, "It is better that ten guilty should escape than that one innocent person should suffer," not only to the letter, but beyond the letter. Judges are most anxious to point out, and juries to allow for, the barest possibility of the prisoner's innocence. No human judgment is infallible: such sad cases as my hon. Friend cited will sometimes occur; but in so grave a case as that of murder, the accused, in our system, has always the benefit of the merest shadow of a doubt. And this suggests another consideration very germane to the question. The very fact that death punishment is more shocking than any other to the imagination, necessarily renders the Courts of Justice more scrupulous in requiring the fullest evidence of guilt. Even that which is the greatest objection to capital punishment, the impossibility of correcting an error once committed, must make, and does make, juries and Judges more careful in forming their opinion, and more jealous in their scrutiny of the evidence. If the substitution of penal servitude for death in cases of murder should cause any relaxation in this conscientious scrupulosity, there would be a great evil to set against the real, but I hope rare, advantage of being able to make reparation to a condemned person who was afterwards discovered to be innocent. In order that the possibility of correction may be kept open wherever the chance of this sad contingency is more than infinitesimal, it is quite right that the Judge should recommend to the Crown a commutation of the sentence, not solely when the proof of guilt is open to the smallest suspicion, but whenever there remains anything unexplained and mysterious in the case, raising a desire for more light, or making it likely that further information may at some future time be obtained. I would also suggest that whenever the sentence is commuted the grounds of the commutation should, in some authentic form, be made known to the public. Thus much I willingly concede to my hon. Friend; but on the question of total abolition I am inclined to hope that the feeling of the country is not with him, and that the limitation of death punishment to the cases referred to in the Bill of last year will be generally considered sufficient. The mania which existed a short time ago for paring down all our punishments seems to have reached its limits, and not before it was time. We were in danger of being left without any effectual punishment, except for small offences. What was formerly our chief secondary punishment — transportation—before it was abolished, had become almost a reward. Penal servitude, the substitute for it, was becoming, to the classes who were principally subject to it, almost nominal, so comfortable did we make our prisons, and so easy had it become to get quickly out of them. Flogging—a most objectionable punishment in ordinary cases, but a particularly appropriate one for crimes of brutality, especially crimes against women —we would not hear of, except, to be sure, in the case of garotters, for whose peculiar benefit we re-established it in a hurry, immediately after a Member of Parliament had been garotted. With this exception, offences, even of an atrocious kind, against the person, as my hon. and learned Friend the Member for Oxford (Mr. Neate) well remarked, not only were, but still are, visited with penalties so ludicrously inadequate, as to be almost an encouragement to the crime. I think, Sir, that in the case of most offences, except those against property, there is more need of strengthening our punishments than of weakening them: and that severer sentences, with an apportionment of them to the different kinds of offences which shall approve itself better than at present to the moral sentiments of the community, are the kind of reform of which our penal system now stands in need. I shall therefore vote against the Amendment.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided:*—Ayes 127; Noes 23: Majority 104.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 1 *agreed to.*

Clause 2 *struck out.*

Clause 3 (Execution to be within Prison).

Mr. DARBY GRIFFITH expressed his opinion that, in introducing the element of privacy into executions, they would do their best to imitate the crime itself. It was, of course, a deed of violence. In taking away the element of publicity, they were taking away the chief authority for the act, which was to be sought, not in any written statute, but in the common feeling of mankind seated in the heart. This doing away with the *consensus populi* would be to realize the prediction that if they abolished publicity it would be impossible to maintain capital punishment at all, because the effect would be revolting to human feeling. They would only show that they were afraid of carrying out their own principle of capital punishment. It might be true that, when a crowd was collected at executions, scenes and incidents revolting to moral feeling took place; but this might equally occur if a number of people were admitted to what was called a private execution.

*Mr. J. Stuart Mill*

Mr. HIBBERT thought the speech of the hon. Member (Mr. Darby Griffith) should have been made on the second reading of the Bill. There were many countries in which private executions were established without the inconveniences asserted to be inseparable from them.

Mr. NEWDEGATE concurred with the argument of the hon. Member for Devizes. He admitted that private executions prevailed in various countries; but there was no country in the world in which respect for the law was so high and deep as it was in England. The principle of secresy which the Bill contained was objectionable, because it would bring the carrying out of the law into suspicion and diminish the force of the law. Secresy in matters of this kind would excite against the Executive an amount of odium that must be deplored, and which had never previously attached to it. The principle of our law was, that the execution of a person was the act of the whole nation, and that being so, it should be public, in order that that portion of the nation residing in the immediate neighbourhood of the crime might, if they chose, attend and see their own punishment carried out.

Mr. M'LAREN said, he entirely disagreed in the views taken by his hon. Friend on the other side. Even supposing that the scriptural argument could be maintained, and that the text, "Whoso sheddeth man's blood by man shall his blood be shed," was correctly interpreted, which he by no means admitted, where was it written that the shedding of blood should necessarily take place in the midst of a crowd composed of the most profligate and worthless part of the population that could be collected? Did the spectacle do good to the classes who furnished these crowds? All the evidence went to show that instead of doing them good, it had a tendency to demoralize them. The clauses of the Bill would insure every necessary publicity, and he cordially thanked the Government for the measure.

Mr. Alderman LUSK thought the Bill a move in the right direction—that was to say, towards the total abolition of capital punishment. Public executions were an evil. He himself had had more than once to sentence numbers of persons in the police-court for robbing at executions. He asked whether "within the walls" of the prison would be interpreted within the external boundary walls or actually within the prison itself?

**Mr. GATHORNE HARDY**: The external walls.

**Mr. DARBY GRIFFITH** said, with reference to the remarks of the hon. Member for Oldham (Mr. Hibbert), that if any change took place from private executions it would most certainly not be to public executions, but to the total abolition of capital punishment; the national aversion to secresy would enforce this abolition.

**Mr. DENMAN** admitted that one reason why he had voted for the second reading of the Bill was because he believed it was a step towards total abolition. But even assuming that capital punishment was to be maintained in perpetuity, was it not far better that it should be carried out within the prisons, and thus avoid the horrible and disgusting scenes that took place at public executions? One great stumbling block in the way of total abolitionists hitherto had been the want of a sufficiently strong public opinion to justify their proposal; private executions would, he believed, remove the difficulty by leading the public to the opinion that it was not necessary to put a person out of the world for the public safety when he could be well secured from doing harm by closely confining him in prison. The hon. and learned Gentleman said that, in the case of Palin, the first murder case he had ever defended, if the punishment had been anything but death the prisoner would have been convicted, because there was the plainest evidence against him. Palin was afterwards transported for fifteen years, and finally committed a capital offence, for which he was executed. But that he did not wish to inflict a speech upon hon. Members he might have cited different cases in which criminals, undoubtedly guilty, had escaped conviction through the repugnance of juries to doom them to the extreme penalty of the law. It would not be long, he thought after this Bill passed, before public opinion would declare that a secret act of assassination within the gaol was not necessary or expedient. A plan had been suggested by Sir Walter Crofton, a very high authority on such a subject, under which prisoners might be confined for life, and practically without hope, in the interior of some prison, so that society would run no risk of their escape from prison, and would avoid the risks it now ran, in many cases, from their total impunity, owing to the unwillingness of juries to inflict an irrevocable sentence.

**Mr. RUSSELL GURNEY** said, the hon. Member for North Warwickshire (Mr. Newdegate) objected to all punishments carried out privately as unconstitutional, was he prepared to revive the abominable practice of public flogging? There was no objection to the clause.

**Mr. NEWDEGATE** said, he objected to flogging prisoners, because to degrade men was not the best way to fit them to continue in society. But the case of capital punishment is totally different, and the old principle of English law is that if a citizen of the country is to be deprived of his life the execution ought to take place in the face of the public.

**Mr. M. CHAMBERS** said, that if, as some predicted, the effect of passing the second reading of this Bill were to lead to the abolition of capital punishment, he should assuredly regret that he had been among its supporters. He could not agree in that prediction. He for a long time considered private executions anti-English; but the majority of the country, or at any rate of the House, has now decided the question. He protested against the representation of the hon. and learned Member for Tiverton (Mr. Denman) that juries had violated their oaths—["No, no!"]—for violating their oaths it is, because they objected to the penalty of death.

Clause *agreed to.*

Clause 4 (Sheriff, &c. to be present).

**Mr. NEATE** said, that even if the House agreed to deprive executions of their public character, there was much that might and ought to be done to give solemnity to executions within the walls of the prison. He wished, for instance, that the sheriff present should be the High Sheriff; and he further thought that the foreman of the grand jury and at least three of the grand jury ought to attend the execution. ["Oh!"] The clause, as it stood, was founded on a total misconception of the nature and object of capital punishment. Something should be done to supply the want of publicity by the presence of proper representatives of the public. If he were asked to name a suitable hour and place for the purpose, he should say New Palace Yard at four o'clock. ["Oh, oh!"] As he was sure there would be a very strong feeling in the country against the Bill he hoped the right hon. Gentleman the Home Secretary would allow a sufficient time between the Committee and the third reading to enable the House to learn what was thought of it out of doors. The hon. and learned Gentleman moved to omit the words, "The Sheriff charged with the execution," and insert—

> "The High Sheriff in person, and also the foreman of the Grand Jury by whom the Bill was found, and three other members of such Grand Jury, to be selected in such manner as the Judge of Assize by whom the case was tried shall direct."

Sir JOHN SIMEON thought it would be unfair to require the attendance of either the High Sheriff or the foreman of the grand jury as they were unpaid officials.

Mr. GORST suggested that it would be well to provide for the attendance at executions of witnesses, independently of officials and the relatives of the criminal, whose evidence would satisfy the coroner's jury as to the mode of death. In Australia the attendance of two justices of the peace was required.

Amendment *negatived.*

Mr. LOWTHER moved to leave out the words "Relatives of the prisoner, or." Those who objected to public executions could not desire the presence of relatives of the prisoner when executions were carried out in private.

Mr. HIBBERT suggested that, for the purpose of identification, the presence of relatives of the culprit might in some cases be very important. At present the Governor had the power of admitting them to the gaol to see the procession on its way to the place of execution.

Mr. GATHORNE HARDY said, that if the words proposed to be omitted were struck out, it would still be in the power of the Governor to admit relatives of the culprit under the words enabling him to admit "other persons" than the officials specially named.

Mr. WALPOLE remarked that the words applying to "relatives" might be taken as giving such persons a right to demand admittance. It would be well to bear this in mind before altering the clause.

Mr. DARBY GRIFFITH could not suppose that the relatives of the prisoner would like to be present at such a distressing and shocking sight. At all events, it should be left to the discretion of the sheriff to determine whether they should be admitted.

Mr. M'LAREN said, it was always the case that poor persons stuck to their relatives to the death; and it would only be right to accord to them the privilege of being present at the execution of their relatives.

The SOLICITOR GENERAL said, the clause is permissive, and therefore it will make no difference in point of legal obligation whether the words are omitted or retained, though they would be useful as an instrucion to the sheriff as to whom he should admit.

Mr. CANDLISH thought it important that the relatives of the prisoner should have a legal right to attend the execution.

Mr. LOWTHER said, if the words are retained the sheriff will still have power under the clause to refuse the relatives admission in certain cases.

Amendment *negatived.*

Mr. Alderman LUSK thought it desirable that a few of the general public should be admitted within the prison. If thirty, twenty, or even ten of the general public were allowed to be present the execution would not be a private one, any more than the Central Criminal Court was a private Court, although only a very limited number of the public could be accommodated in the building. He moved, therefore, an Amendment to the effect that the sheriffs and visiting justices should admit into the gaol as many of the general public as could properly and conveniently be accommodated.

Mr. GATHORNE HARDY said, he understood the proposition of the hon. Gentleman was that the gaol should be opened to any persons who might choose to come, as long as there was sufficient room for their accommodation. [Mr. Alderman Lusk: No!] If not, due provision was made in the clause as it stood for carrying out the hon. Member's intention. It was left to the discretion of the sheriff and the visiting justices to admit such persons as they thought fit, and therefore it would be unnecessary to introduce the words proposed by the hon. Member.

Mr. Alderman LUSK explained that it was his intention that the sheriff should admit as many of the general public as could be conveniently accommodated.

The SOLICITOR GENERAL remarked that if the clause were altered in the way proposed, the sheriff would be bound to admit the public indiscriminately into the gaol as long as there was room to accommodate them. Thus boys, women, and others who ought not to witness executions, would have a right to admission. By the clause as it stood power was given to admit the representatives of the Press and other persons of respectability who, in the opinion of the authorities, ought to be present at the execution.

MR. ALDERMAN LUSK pointed out that boys and young girls might be excluded, as they were now from Courts of Justice in certain cases.

THE SOLICITOR GENERAL said, the reason why boys and girls were sometimes kept or ordered out of Court was that the Judge is assumed to have supreme control over the discipline of the Court, though some people doubted whether they have so much authority; but if this Amendment were adopted the sheriff would be bound to act according to the words of the statute, and to admit the public indiscriminately.

MR. DARBY GRIFFITH thought what was proposed by the Bill would be very like a select audience. It would probably come to admitting people by ticket.

MR. M'LAREN suggested the addition of words to the effect that the sheriff should admit such reporters for the newspapers connected with the county or borough as he might deem proper.

MR. DENMAN, while agreeing with the spirit of his hon. Friend's Amendment, thought it quite superfluous and unnecessary. Under the term "persons," the representatives of the Press would be admissible.

MR. ALDERMAN LAWRENCE thought that the representatives of the Press should have a right to be present, instead of their admission being at the discretion of the authorities, who, perhaps, might in some cases think it desirable that the public should not be furnished with a full account of the proceedings. He should therefore take an opportunity of moving an Amendment to that effect, and would certainly divide the Committee upon it.

MR. HIBBERT opposed the Amendment as unnecessary, seeing that it must be left to the discretion of the sheriffs and the visiting justices to say how many people could be accommodated.

MR. M. CHAMBERS could not see the use of adding the words, "of the general public" after "persons," as the latter included the former.

MR. ALDERMAN LAWRENCE moved the addition of the words, "and so many reporters of the public Press," the effect of which would be to secure the attendance of the representatives of the Press, so that the public might know what official persons were present. He held that the decision of what persons to be admitted should not be left entirely to the discretion of the sheriff and visiting justices. He thought it would tend to the satisfaction of the people of this country that the admission should be ensured of those who would faithfully report what took place on such occasions.

Amendment proposed, after the word "prisoner," to insert the words "and so many reporters of the public press."—(*Mr. Alderman Lawrence.*)

Question put, "That those words be there inserted."

The Committee *divided*:—Ayes 24; Noes 46: Majority 22.

Clause *agreed to.*

Clause 5 *agreed to.*

Clause 6 (Coroner's Inquest on Body).

MR. ALDERMAN LAWRENCE asked, if the representatives of the Press would be allowed to attend the inquests? Were those inquests to be private or public?

MR. GATHORNE HARDY: The inquests will be conducted on precisely the same principles as at present.

MR. ALDERMAN LAWRENCE: Will they be open to the public?

MR. GATHORNE HARDY: They will be as open to the public as Coroners' inquests held in prisons now are.

MR. ALDERMAN LUSK said, a sheriff might have particular views of his own with regard to the admission of unofficial persons to an execution; and supposing the sheriff excluded such persons, who were to be witnesses at the Coroners' inquests?

MR. GATHORNE HARDY: If the hon. Gentleman thinks that an execution can be carried on without witnesses, I do not think so. There must be witnesses, whatever reliance may be placed upon their testimony.

MR. ALDERMAN LUSK: I understand that there may be official persons present; but will that satisfy the public? This should be arranged beforehand. If the sheriff did not admit any of the public, who were to be the witnesses but the gaoler and hangman?

MR. DARBY GRIFFITH complained that the matter was treated with levity on the Treasury Bench, and regretted to observe that the House seemed ready to relieve itself from a serious subject by ebullitions of that kind. There might be a crotchety sheriff, of opinion that it was intended to carry out executions privately, and not admit the general public, and to that the hon. Member opposite took exception.

Clause *agreed to.*

Remaining clauses *agreed to.*

THE LORD ADVOCATE proposed a clause extending the Act to Scotland, with the necessary modifications of language.

Clause *agreed to.*

MR. NEATE said, that the punishment of hanging, as practised in great Britain, was derived from barbarous countries, and was singularly unequal in its operation. He would suggest that the Government should have recourse to modern science with the view of discovering a less painful mode of execution. It was a mistake to suppose that dislocation of the neck produced instantaneous death. Sometimes it did so; at other times, the criminal was convulsed for some seconds. The garotte was a more merciful punishment; or life might be taken by means of carbonic acid gas—a process which would prevent the painful necessity of having the hands of the hangman about the culprit's neck. He wished to limit manual interference by one fellow-creature with another in such cases as much as possible, and would even go so far as to allow the prisoner to put an end to himself. He thought the suggestion was worth consideration when they were altering the old mode of execution. He would move as a new clause, but would not press it to a division that—

> "Her Majesty or her successors may, by the advice of their Privy Council, prescribe any other mode of execution in lieu of hanging."

Clause *negatived.*

House *resumed.*

Bill *reported;* as amended, to be considered upon *Thursday.*

## ARTIZANS' AND LABOURERS' DWELLINGS BILL.

(*Mr. M'Cullagh Torrens, Mr. Kinnaird, Mr. Locke.*)

[BILL 1.] COMMITTEE.

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

SIR FRANCIS GOLDSMID moved that the Chairman report Progress with the view to the framing of a clause to protect the interests of reversioners, which, as the Bill at present stood, had been altogether overlooked. The interest of the reversioner might be confiscated if the lessee neglected his duty.

MR. GOLDNEY suggested to the hon. Baronet to withdraw his Amendment until the clause framed by the hon. Member for Cambridge (Mr. Powell) to meet his objection was considered.

SIR FRANCIS GOLDSMID said, he would withdraw his Motion to report Progress.

MR. POWELL then proposed a clause providing that—

> "Application may be made to justices where more than one owner of premises included in order under Act, and any one owner neglects to comply with such order."

SIR FRANCIS GOLDSMID denied that this clause would meet the difficulty. There might be half-a-dozen lessees, and finally the freeholder, and all those delicate interests required very careful consideration. He therefore hoped that the Chairman would be allowed to report Progress, in order that an opportunity should be afforded for the preparation of a new clause that would effectually protect the interests of reversioners.

MR. POWELL said, he thought that in the clause he had proposed he had saved the interest of the reversioner.

MR. GOLDNEY said, he was of opinion that the clause under consideration had been carefully drawn, and would meet the object of the hon. and learned Member for Reading (Sir Francis Goldsmid). Every class of interest in property was protected.

SIR FRANCIS GOLDSMID said, the description given did not tally with the printed words of the clause.

MR. M'CULLAGH TORRENS said, there were no other powers in this Bill to take land than were contained in the Lands Clauses Consolidation Bill.

SIR FRANCIS GOLDSMID said, the effect of the Bill, even though including the proposed clause, would be to cause a forfeiture of the interests of reversioners, without their having any opportunity to prevent it.

MR. AYRTON thought that some one should be responsible for the clause. The hon. and learned Member for Reading (Sir Francis Goldsmid), who was a good authority, told them the clause did not meet the wants of the case. It seemed to him it was necessary to have a well-considered clause.

MR. HARVEY LEWIS thought that the discussion showed the necessity of not dealing with the rights of property in the off-hand manner proposed.

Lord JOHN MANNERS said, he thought it would be a very great pity if the Committee were to lose this chance of getting through with the clauses of the Bill. There would be ample opportunity at its next stage to discuss the important subject which had been raised by the hon. Baronet.

Sir FRANCIS GOLDSMID said, they would not have an opportunity of discussing the matter fully when the Bill was reported, because at that stage hon. Members had only the privilege of addressing the House once. However, he would not further press the point.

Clause *agreed to.*

Sir FRANCIS GOLDSMID moved the following new clause, which he said was designed to obviate one of the many disadvantages which he believed would attend the working of the Bill if passed in its present form:—

"This Act shall not apply to any premises as to which the owner of the freehold has instituted proceedings under the covenants contained in the lease under which the premises are held, in order to compel due performance of such covenants, as to repair or for forfeiture of such lease by reason of breach of any such covenants, provided such proceedings are *bonâ fide* and duly prosecuted, and provided that such owner shall succeed in obtaining judgment therein, and provided also that within three calendar months after such judgment obtained, such owner shall properly repair such premises so as to render them fit for healthy occupation, or pull down and demolish the same, at his option."

Mr. AYRTON suggested that this clause should not be pressed; but that the matter should be allowed to remain in the hands of the Government.

Lord JOHN MANNERS thought it would be only right for the Government to undertake some responsibility in connection with the Bill, and by the next stage attention would be paid to this matter.

Sir FRANCIS GOLDSMID said, on this understanding he would, for the present, withdraw the clause.

Mr. POWELL proposed a clause providing that, in case of leaseholds, the owner of the reversion have power to determine the lease, compensation being paid to the lessee.

Clause *agreed to.*

Sir FRANCIS GOLDSMID moved another clause—

"This Act shall not apply to any case in which the defective state or condition of the premises is attributable to or occasioned by the act, neglect, or default of the local authority, to put in force the powers for remedy of such defects already vested in such local authority."

Mr. GOLDNEY objected to the clause.

Sir FRANCIS GOLDSMID mentioned the case of mischief being done by the authorities raising a road.

Mr. POWELL said the clause was inapplicable.

Clause *negatived.*

Sir FRANCIS GOLDSMID next moved the following new clause:—

"In any case where any lessee shall refuse or neglect to execute the works required by the order of the local authority made under this Act, and the owner of the freehold shall elect to execute the same, such refusal or neglect of the lessee shall operate as a forfeiture of his interest in such premises, and if within one calendar month after such refusal or neglect the owner of the freehold shall commence such works, and he shall execute the same without delay, he shall be entitled to hold the said premises free from the interest of such lessee but subject to the payment by the freeholder to the lessee of the value of the interest of such lessee, according to the mode of valuation provided in the nineteenth Clause of this Act."

Mr. POWELL said, he did not see any objection to the clause.

Clause *agreed to.*

First Schedule.

Mr. AYRTON said, he observed that the corporation of London had made its influence felt in reference to the Bill, for by a note appended to the Schedule it was declared that the metropolis should not include the City of London; so that the result would be that the most wealthy portion of the metropolis would escape contributing towards the improvement of the dwellings of the poorest classes within the metropolis. Such an arrangement was most inequitable. He should move the omission in the Schedule of all words relating to the City of London, so as to make the metropolis at large, as defined by the Metropolis Local Management Act, liable to the charges for carrying this Act into operation.

Amendment proposed, to leave out from the words "The City of London," in line 7, to "c. 91," in line 12, inclusive."—(*Mr. Ayrton.*)

Mr. GOSCHEN opposed the Motion. There was a great deal of work to be done in the City of London of the nature contemplated by the Bill, and the City did not wish to escape from its fair share of public burden, but it desired to pay for that which was to be done within its own area.

MR. HARVEY LEWIS thought that the City had no claim for the exemption which was claimed. The metropolis should be regarded as one area for the purpose of carrying out all sanitary arrangements.

Question put, "That the words proposed to be left out stand part of the Schedule."

The Committee *divided* :— Ayes 26 ; Noes 19 : Majority 7.

House *resumed.*

Bill *reported ;* as amended, to be considered upon *Tuesday* next, and to be *printed.* [Bill 88.]

### BROUGHTY FERRY PROVISIONAL ORDER CONFIRMATION BILL.

On Motion of The LORD ADVOCATE, Bill to confirm a Provisional Order under "The General Police and Improvement (Scotland) Act, 1862," relating to Broughty Ferry, *ordered* to be brought in by The LORD ADVOCATE, Mr. Secretary GATHORNE HARDY, and Sir JAMES FERGUSSON.

House adjourned at half-after Eleven o'clock.

## HOUSE OF COMMONS,

*Wednesday, April* 22, 1868.

MINUTES.]—NEW WRITS ISSUED—*For* Bristol, *v.* Sir Samuel Morton Peto, baronet, Manor of Northstead ; *for* Stirling District of Burghs, *v.* Lawrence Oliphant, esquire, Chiltern Hundreds.

PUBLIC BILLS—*First Reading*—Broughty Ferry Provisional Orders Confirmation * [90].

*Second Reading*—Burials (Ireland) [5]; Sunday Trading [40]; Canongate Annuity Tax [60], *negatived.*

*Committee*—Metropolis Subways * [41] ; Legitimacy Declaration (Ireland) * [87].

*Report*—Metropolis Subways * [41]; Legitimacy Declaration (Ireland) * [87].

*Considered as amended*—Religious, &c. Buildings (Sites) * [18].

### BURIALS (IRELAND) BILL—[BILL 5.]

(*Mr. Monsell, Mr. Sullivan.*)

SECOND READING.

Order for Second Reading read.

MR. MONSELL, in rising to move the second reading of this Bill, said he thought he could show that the grievances to which it referred were so serious that even in the present Session they ought to be redressed. At the present time the clergy of the Established Church in Ireland, though representing only about one-ninth of the population of that country, had power to prevent any religious service but that of their own Church from being performed in the parish burial-grounds. This matter was seriously complained of, not only by Roman Catholics but also by Presbyterians and by the members of other religious bodies. He was sure that no one would desire that Ireland should continue to be, as she was now, the only Christian country in which the great majority of the people were committed to the grave without any religious service. He understood that the hon. Member for Sheffield (Mr. Hadfield) intended to move that the present Bill should extend to England ; he (Mr. Monsell) feared that additional difficulties would be placed in his way if the English were mixed up with the Irish grievance. The present law of burials in Ireland was founded upon a Bill passed under the auspices of Lord Plunket in 1824, which Bill provided that every person, whatever his religion, should have a right to interment in the churchyard of the parish where he died ; but that no religious service should be performed at the grave without the permission of the Protestant incumbent. If the incumbent refused his sanction he was required to state in writing his reasons for so refusing, and to forward a copy of that statement to his Bishop, who was to transmit it to the Lord Lieutenant. Lord Plunket's intention as to the effect of the law was not doubtful ; he stated that it would be mandatory upon incumbents to grant the permission asked for ; and his intention, and also that of the Legislature, was that the application should be merely formal, and that it should be always assented to by the incumbent. Indeed, Lord Plunket gave as his reason for supporting the measure, that it could not be borne that Protestant clergymen should permit human bodies to be thrown into the ground like so many dogs. The question then arose, "Has the intention of Lord Plunket and the Legislature been carried out or not?" This question could be answered only in the negative. There was the highest authority—that of Archdeacon Stopford—for saying that "The Irish custom does not usually bring the Roman Catholic priest to the grave," and Dr. Doyle supplied the reason when he said that "Priests and prelates would rather be condemned to labour at a treadmill than ask for licences for interments." But when, by an overstrained humility, Roman Catholic priests had made application, they had frequently been refused. He would quote a remarkable instance which occurred at Enniskillen, the living of which was in the gift of Trinity College, and its incumbents were, generally, men of some eminence. There is a cemetery in the parish called Pubble—there has been no church there for eighty years; it is almost exclusively used by Roman Catholics. In twenty-five years there had been only five Protestant burials there. Within the last few years there had been three rectors of the parish—Mr. Maude, Mr. Magee, the present Dean of Cork, a man of the highest mark, and Mr. Greer; but though the burial-ground was far removed from the parish church, all three rectors had, in every instance, refused applications asking permission to read the burial service of the Roman Catholic Church. He might be permitted to say, with reference to the statement that Roman Catholic priests were unwilling to make an application to a Protestant incumbent, that the Protestant clergymen were accustomed, as might be seen by the placards now about Dublin in connection with the May meetings, to speak in a very gross way with regard to the Roman Catholic Church. But, the necessity of asking the incumbent's consent, however, was not only hard upon Roman Catholics, but also upon members of other religious bodies. Though the House had lately heard of the identity of feeling which existed between the Presbyterians and Protestant Episcopalians in Ireland, applications on the part of Presbyterian ministers had been refused. Lately an application to be allowed to perform a burial service was made by the Rev. E. Lyttle, a Presbyterian minister, at Donnybrook; it was refused, and the matter was brought before the Presbytery of Dublin, where Mr. Lyttle stated that—

> "For some unknown cause many of the clergy of the Church of England about Dublin and through the South have, during the last three or four years, considered it necessary to assert their dignity and rights in this miserable and odious way. In all directions our clergy are being excluded from the parish graveyards. It is impossible to bear any longer with a state of things which is becoming worse, for such refusals are becoming the usage and the rule."

The Wesleyans met with similar treatment. He had large quantities of correspondence, showing that contumelious refusals followed the most humble applications. He would give one case. In November, 1863, the Rev. Edward Best, a Wesleyan minister at Armagh, asked permission of the incumbent to perform the funeral service over a Mrs. Miller, and received this answer—

> "Sir, I cannot grant the request made in your name; but I will be ready to perform the funeral service of the Church if called on by the friends of the late Mrs. Miller."

An appeal was made to the Archbishop, and he said—

> "The Act of Parliament leaves it entirely at the discretion of the incumbent to grant or refuse the permission, and gives the Bishop no right to interfere. You will observe that I have done all that the law requires or permits me to do in this case."

The House would recollect Lord Plunket's explanation of the law. He said that the words enabling permission to be given were mandatory; yet in this case neither incumbent or Bishop so treated it. An appeal to the Bishop was made, and the grievance was not redressed. In February, 1866, the Rev. Mr. Quarry, Wesleyan minister in the county of Kerry, received a peremptory refusal. When he attempted to perform the service outside the graveyard, it was very near being attended by serious consequences. But a more extraordinary case was one which occurred in the county of Galway. George Mitchell died, having previously specially requested that his minister, the Rev. W. B. Le Bat, should conduct his funeral service. The rector, however, would not consent, and (he quoted Mr. Le Bats words) "assisted by a mob of missionaries and other persons, stopped the procession to the grave, and there was a great deal of disturbance." A memorial upon the matter was addressed to the Lord Lieutenant, who referred it to the Bishop, who sent it to the rector, and the latter returned it to the Lord Lieutenant; so that, as Mr. Butt said, the parties, instead of getting redress or satisfaction of any kind, were baffled, disappointed, and annoyed. He thought that he had said enough to show that there was a serious grievance, and that the intention of Lord Plunket and the Legislature in passing the Act of 1824 had been defeated. It had been supposed that Lord Lieutenants and Bishops would secure the carrying out of the intentions of the Legislature. It appeared that Lord Lieutenants and Bishops were unwilling or unable to control uncharitable or crotchety incumbents. The remedy which this Bill proposed was a simple one — that in the case of burials of persons not belonging to the Established Church in the parish burial-grounds, the priests or ministers of the denomination to which the deceased belonged should have the right to perform the burial service of that denomination. The Bill did not in any way interfere with the rights of the parochial clergy to the freehold of the churchyards; all it provided was that the national burial-grounds should be freely used by the nation.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Monsell.*)

MR. LEFROY said, he regretted that he felt it his duty to oppose the Motion of his right hon. Friend the Member for Limerick (Mr. Monsell). He should, however, regret still more if his motives for doing so were misunderstood. He was therefore anxious to state in the briefest and most temperate language the objections which he entertained to the measure. His right hon. Friend had made a most ingenious speech in support of his Bill, and had drawn off the attention of the House from its objectionable features. The right hon. Gentleman alleged that the objects which Lord Plunket had in view when he introduced his measure upon this subject had been frustrated by the clergy, but he (Mr. Lefroy) could not admit this to be the case. He deemed it necessary to call the attention of the House to the advances which had been made in this matter of late years by the enactment of measures in favour of the Roman Catholics—measures at which he rejoiced. In the reign of William III. the Roman Catholics were deprived of the right of burial even in the monasteries or grounds adjacent, and a penalty of £10 was enacted against any violation of that law. In the reign of George IV. a Bill was introduced by Lord Plunket, the object of which was to do away with that prohibition, and throw open all those burial-places to Roman Catholics. The Act of *Will.* III. forbade the performance of burial service by Catholic priests. Lord Plunket's Act removed this difficulty also, and gave power to the Protestant incumbents, on the application of a Roman Catholic priest, or Nonconformist minister, to grant to the priest or minister permission to perform the burial ceremony in churchyards over individuals of his communion. The application for leave, as well as the reply of the incumbent, was to be made in writing; the object being to protect the rights of the Church, to secure as far as possible the proper and uninterrupted performance of the burial service, and also that if a refusal were given, it should not be upon unreasonable or trivial grounds. But that was not all; the Bill also provided that in case of leave being refused by the incumbent copies of the application and the reply should be forwarded to the Bishop of the diocese, and transmitted by him to the Lord Lieutenant. It would, therefore, be seen that every security had been given to secure to the Roman Catholics tho privilege intended to be given to them by Lord Plunket's Act. In a few cases, clergymen might have withheld permission, but the fault, if any had been the priest's, in neglecting to avail himself of the remedy prescribed by the Act. He was not in possession of information with respect to all the cases referred to by his right hon. Friend; but with regard to Enniskillen, he held in his hand the correspondence which had taken place with the Rev. Mr. Greer, the incumbent, who had but a short time before entered upon his office. The first letter of Mr. Greer was in answer to an application that the Roman Catholic priest should be allowed to come in his robes, and was to the effect that he would make inquiries, and if it could be arranged without inconvenience, he would gladly give permission. On inquiry, however, Mr. Greer was obliged to refuse leave for the proposed burial, as he found that the graveyard was overcrowded, and that it could not take place without disturbing the remains of persons already interred, and thereby causing much pain to their relations. The rev. gentleman expressed his regret at this circumstance, and suggested that a subscription should be immediately commenced for the purchase of additional ground; and he said he should himself be most happy to contribute. The rev. gentleman not only was justified in what he did, but must be considered to have acted with great kindness and prudence. He (Mr. Lefroy) regretted that difficulties existed in any case. He should rejoice to see all differences of opinion forgotten at the grave, and that all those who mourned over their deceased relatives and friends should be allowed to assist at that religious service which was most agreeable to their feelings. But at the same time, he did not think that the Established clergy could consistently give up their rights in this matter. In the first place, the churchyard was in the nature of a freehold vested in the clergy and churchwardens, who were answerable for the care of it. He denied that the Roman Catholics laboured under any grievance in this respect. The necessity which the existing law imposed of asking permission of the incumbent for the performance of religious service over the grave was not really an obstacle to such performances. The practice was, as a general rule, to grant the permission sought; and what was the use of encouraging persons to assume a right in opposition to the clergy, which the clergy willingly conceded in all ordinary cases as a matter of courtesy? Moreover, there would be danger of collision, if, without any notice or arrangement, Roman Catholic processions had a right to enter the ground and perform religious ceremonies, at a time when, perhaps, Protestant service was going on. It would form a perpetual ground of dispute and irritation, and would, in all probability, lead to rioting and outrage. As to the Wesleyans, individuals might have made complaints; but he was informed that the great body of them were satisfied with the present arrangement. For the reasons he had just given, he felt it his duty to enter his protest against the propositions of his right hon. Friend. Looking at the state of the House, he saw no advantage in dividing against the second reading; but he should certainly oppose the further progress of the Bill in its present shape.

Mr. PIM was glad that the hon. Member for the University of Dublin did not intend to divide the House. He hoped that the House would unanimously agree to the second reading of the Bill. There were many cases in which a clergyman would believe it to be his duty to refuse the permission sought; while, at the same time, no real ground could be urged why it should not be given. A large number of Roman Catholics in Ireland had been buried for centuries in the parochial burial-grounds; and it was very galling to a Roman Catholic that he was obliged to get permission for the priest to read the service over the remains of a relative. But Protestant Dissenters complained on this subject as well as Roman Catholics. He had a few days since presented a petition from the Presbyterians of Dublin, in which they asked that "they should no longer be subject to this grievance, which they conceived to be as inconsistent with the spirit of the age as it is uncongenial to that of the Gospel." He held in his hand a letter from a Wesleyan Methodist minister strongly protesting against the continuance of an irritating law, and stating that his "brethren felt much as he did." The Bill would be received in Ireland with general satisfaction; and he ventured to express a hope that the right hon. Gentleman the Member for Limerick would be able to pass it through the House without any serious opposition. If any Amendments were required they could be introduced in Committee.

Mr. GREENE said, he could not allow the Bill to pass through another stage without entering his strongest protest against it. He felt that the time had come when it was the duty of that House to watch narrowly the progress of events. So far as he could form an opinion upon this subject it did not appear to him that there was any practical grievance affecting the Roman Catholics. He thought that the passing of the present measure would lead to scenes in Ireland which they would all deprecate. Although he was willing to give every liberty to the Roman Catholics, consistently with the security of the Established Church and its rights, he could not yet fail to remember the narrow views of the Romish Church, which interdicted all liberty of conscience and all freedom of action in its members. He said they were advancing towards a state of things that demanded their most serious consideration. To allow the Roman Catholic Church all the privileges of the Church of England was inconsistent with the maintenance of the principles of the Reformation or the national religion. This measure, if passed, would let in the keen edge of the wedge to be followed by further aggression. So long as he had the honour of a seat in that House he would raise his voice against any proposition for the progress of the Romish Church. The hierarchy of that Church not only sought for greater spiritual power in the country, but also for temporal power. One concession after another had been given them by Protestant England with a view to conciliation. Let the people of England mark well what was going on, and take warning in time. Although he should run the risk of being called illiberal, he should certainly feel it his duty if a division took place to vote against the second reading of this Bill.

Mr. NEWDEGATE said, this Bill for Ireland was the same in substance as the Bill which had been introduced for England on behalf of the Protestant Dissenters by Sir Morton Peto, and which was discussed upon the Motion for its second reading on the 15th of April, 1863. The House, after a mature consideration of its principle, rejected that Bill by a majority of 125. In 1861 the subject had been also before the House; but the proposal of that day was rejected by a small majority, because the division upon it was taken unexpectedly. The right hon. Gentleman the Member for Limerick now made a similar proposal for Ireland on the part of the Roman Catholic hierarchy. It was perfectly understood that the right hon. Gentleman on all these subjects represents the Roman Catholic hierarchy in Ireland. He (Mr. Newdegate) wished to put to the right hon. Gentleman this simple proposition. The House was perpetually told that the Roman Catholic hierarchy was an aggrieved body. He asked in what respect were they an aggrieved body? He could not understand how they could be considered aggrieved; for the course of legislation had of late years been one continual system of concession to their demands, unless it was assumed that the whole of the ecclesiastical property in Ireland had once belonged to them, and that it ought now to be restored to them. ["No, no!"] He said that that was the ground assumed — not so strongly in that House as out of that House. The grievance everywhere stated by the organs of the Roman Catholic hierarchy was, that the ecclesiastical property of Ireland had been taken from them. Every man who reads the newspapers—every man connected with the Press knows this. It was a principle publicly proclaimed by them out-of-doors. It was, therefore, plain that what the Roman Catholic hierarchy now demanded was restitution of all that ecclesiastical property which they assert had once belonged to them. The right hon. Gentleman opposite might shake his head at this statement; but he must know very well that this was a principle laid down by the Roman Catholic newspapers and publications. This was the grievance put forward by the Roman Catholic hierarchy. He denied that those complaints came from the Roman Catholic laity. The former asserted that the ecclesiastical property now held by our Church in Ireland was taken from them some 200 or 300 years ago, and that it should now be restored to them. If they would not, in the case of the Church of Ireland, admit the possession for 100 years as establishing a right, which was the rule under the canon law of Rome as regarded such rights, he wished to know to what extent that principle of restitution might not be carried? Another grievance was that the confiscated estates were held by the descendants of those to whom they had been granted by the Sovereign at the time that these estates were confiscated 200 or 300 years ago. Well, he asked whether the House was prepared to meet that assumed grievance, and to disturb the settlement of property in Ireland? Those grievances hung together, and they would never hear the end of them so long as they encouraged the idea that they were willing to gratify these claimants, by concessions, gifts, and largesses—to subvert the tenure and title not only of ecclesiastical property, but of all property alleged to have been confiscated centuries ago, and now held by Protestant owners. He put this matter plainly, because he confessed he was tired of hearing of those grievances, which were perpetually stated out-of-doors, and were acted upon without being avowed in that House. He now came to the consideration of this Bill. If it were deemed just and wise on the part of this House to reject the proposal made on behalf of the Dissenting body in this country, with a similar object in view as the measure before the House, with what consistency or justice could they assent to the proposal now made by the Roman Catholic hierarchy of Ireland? They all knew that special facilities had been granted by law for the accession and preservation of graveyards by the Roman Catholic community. Acts of Parliament had also been passed to provide cemeteries to be open to all religious denominations in Ireland. Nothing, however, would satisfy the Roman Catholic hierarchy, but to gain possession of the property now held by members of the Established Church. They said that the Established Church in Ireland was an insult. Now, he knew at that moment that negotiations were going on through our Foreign Office to obtain sites in Spain for the burial of Protestants, and up to the present time the Government of Spain had refused their assent to such applications. Wherever the Roman Catholic Church obtained command, as in Spain, she would forbid the burial of any Protestant in any of her cemeteries. He would take an early opportunity of asking for the production of the Correspondence in order to verify his statement. He would mention the particulars of a case which occurred in Galway, and which had a bearing upon this subject. A College had been founded in Galway by Edward VI. Some years ago it was broken up, and the property divided into two or three rectories by the Ecclesiastical Commission. A Protestant gentleman having property in Ireland purchased the advowsons of those rectories. The clergy of the Church of England had shown themselves extremely tolerant as to the use of two graveyards which were not immediately connected with these churches. They permitted the Roman Catholic priests the free use of those graveyards, exacting no payment whatever from them, which they might reasonably have done. What was the result now? Those Roman Catholic priests had obtained a very considerable income by possessing themselves of these graveyards, which belonged to the Protestant Church, and it might happen that they would refuse to allow Protestants to be buried in those graveyards. As much intolerance of principle was shown in Ireland by the Catholic priests as was practised by the Catholic Government and hierarchy of Spain. He could not see how the House could justify to itself concessions to the pretended grievances on this subject put forth by the Roman Catholic hierarchy of Ireland, when they knew that those very meek and humble petitioners were really the most aggressive and intolerant when they had the power of being so. By assenting to this Bill they would be making a concession to the Church of Rome which they refused to all religious denominations other than the Church of England in this country. Hon. Members might fancy that they were proving themselves very liberal; but the country would understand their motives for assenting to this Bill. The people would say it was passed under the pressure of apprehended disturbances in Ireland. They would feel that that House was endeavouring to propitiate those whom they never could satisfy without sacrificing the rights of property and the principles of justice in Ireland.

Mr. O'BEIRNE said, he would not have interfered in this discussion, if it had not been for the remarks which had fallen from the hon. Member for North Warwickshire (Mr. Newdegate), who seemed to be under a singular misapprehension, both as to the question before the House, and the scope of the Bill proposed by his right hon. Friend the Member for Limerick (Mr. Monsell). The hon. Member compared the present Bill with the Bill which had been introduced and defeated in 1863. Now, there was no sort of similarity between the two proposals. The Bill of 1863, which referred to English Nonconformists, was intended to give to those who dissented from the Church of England a right of interment in the graveyards which belonged to that Church. That right had been already conferred on Irish Roman Catholics and Irish Dissenters in 1824, by Lord Plunket's Act; and, therefore, it was not now sought to confer any right of burial. The hon. Member seemed to look upon this proposal as another concession to Roman Catholics, and as such he, of course, opposed it. He (Mr. O'Beirne) must remind him that if it was a concession, it was one which applied to all sects of Christians, and gave them equal rights to have the burial services performed over the graves of their dead. Surely such a reasonable enactment could not be seriously opposed. His right hon. Friend the Member for Limerick in quoting the Act of 1824, had correctly called it a mandatory Act. Lord Plunket, beyond all question, so understood it, as shown by his own words just read to the House. But there was still stronger evidence to be found within the Act itself, as he would show by reading the 5th Section, that Section enacted—

> "That if such permission [referring to the permission for burial] be in any case withheld, the cause of withholding the same shall be specially and distinctly declared in writing by such officiating minister of the Church of England, one part of which written declaration shall forthwith be delivered to the person making such application as aforesaid, and one other part thereof shall be transmitted to the Bishop of the diocese in which such churchyard shall be situated, and shall be by him forthwith forwarded to the Lord Lieutenant, signed by the registrar, &c."

Now, he contended that that Section showed very clearly that refusal of the permission was only intended to take place in very special cases. It was, he thought, not a little surprising that this Section, although referred to by hon. Members opposite, had not been read to the House; and, moreover, the cases read by his right hon. Friend showed that the refusals which had been given in writing in no instance complied with this requirement of the Act. On the contrary, this provision that the causes of refusal should be distinctly and specially stated were, it would seem, systematically disregarded by the reverend gentlemen by whom those refusals had been signed. No case whatever had been made against the Bill; no argument had been used, unless, indeed, we were to accept as an argument the repetition by the hon. Member for North Warwickshire of his usual bitter invectives against the Roman Catholic Church and her hierarchy. He (Mr. O'Beirne) had no desire to occupy the House by offering any reply to the hon. Member on that part of his speech; but he could not allow a remark which fell from the hon. Gentleman as to the funds of the Irish Church Establishment, to pass unchallenged. The hon. Member stated, much to his surprise, that the Roman Catholic Bishops had demanded a restitution of the funds which had been taken from the Roman Catholic Church in centuries past. Now, the hon. Member must have known, when he made that statement, that it was wholly without foundation, and he heard him give expression to it with extreme regret, as the hon. Member had had ample and frequent opportunity of satisfying himself that such a charge was entirely without justification. Many hon. Members of this House,. who were fully authorized to state the opinions of the Catholic Bishops and ministers, had over and over again stated in the most distinct and unequivocal language, that although it was quite true that the Roman Catholic religion—of which he had the privilege of being a member—had been despoiled and plundered, by unjust laws, of their Church property, in seeking religious equality, which they now demanded, they not only repudiated all idea of touching directly or indirectly one shilling of the funds now enjoyed by the Established Church, but they also very recently rejected all offers of such a nature. How, then, could the hon. Member—who enjoyed a just influence and respect in that House—permit himself to make a statement which, he repeated, he must or should have known was utterly unfounded and contrary to the fact? The hon. Member talked of publications and declarations out-of-doors, he (Mr. O'Beirne) had nothing to do with such publications or declarations. He repeated that the Roman Catholic Church would not touch one shilling of the moneys of the Establishment, and he hoped that such an assertion as that to which he now gave this unqualified contradiction, would not be again repeated within that House. He trusted the discursive remarks to which he had been obliged to give a reply, would not lead the attention of Members away from the fair consideration of the Bill before them. He believed it was a just measure; that it would correct an abuse which was irritating and mischievous; and, if passed, that it would be productive of much social good and give very general satisfaction in Ireland.

MR. NEWDEGATE said, that Dr. Moriarty, who calls himself Bishop of Kerry, in a letter published, he thought, last autumn, stated that if the property of the Church of Ireland was placed at the disposal of Parliament a portion of it should be appropriated to Roman Catholic purposes. This was stated in a letter which had been published.

MR. BRUCE said, that if the House divided he should give his vote for the second reading of the Bill, on the ground that its object was simply to give effect to the Act of 1824. At present the right of Roman Catholics to burial in the parish burial-grounds existed; but it was clear that, as a matter of fact, it had in many cases been refused, not merely to Roman Catholics, but also to Presbyterians and Wesleyans. Indeed the movement in favour of this Bill was far stronger on the part of the Protestant Dissenters of Ireland than on that of the Roman Catholics. He was at a loss to understand why Spain was so often quoted by the hon. Member for North Warwickshire. Was it that we should imitate her, or that we should act in the spirit of retaliation? In the name of both sides of the House he repudiated both courses. He had supported the Bill introduced by Sir Morton Peto, but which was unfortunately rejected. They must, however, consider the principles of this Bill in connection with the circumstances of the case; and was it not intolerable that in Ireland a small minority should have power to withhold Christian burial from the great majority of the people?

SIR PATRICK O'BRIEN said, the Bill had been introduced to prevent the continuance of a great scandal, and to promote conciliation, and not for the purpose of giving any right to the Roman Catholic Church beyond those of other religious bodies. He had supported Sir Morton Peto's Bill. He assured the House that there was in Ireland a strong feeling of reverence for the dead; and consequently there was a great desire that a religious ceremony should be performed over the grave. He recommended the hon. Member for North Warwickshire (Mr. Newdegate) to turn his attention to Lutheran

Sweden, where he would find a bigotry calling for the denunciation of one who so strongly condemned the religious feeling of Spain.

Mr. HENLEY said, he believed it was generally conceded that, except in very few instances, the Act of 1824 had been carried out. If, however, there were cases in which it had not been acted upon, there ought to be an amendment in the law. This Bill would require amendment. No provision had been made for the preservation of order in the burial-grounds. If he did not consider that the Bill could be altered in that sense in Committee, he would not vote for the second reading. As the Bill now stood, the bodies of persons belonging to two or three different persuasions might be brought into the graveyard at the same moment. The services had to be performed within a limited space; and when persons entertaining different opinions thus came together, religious animosity might lead to unseemly scenes in the graveyards. The right hon. Gentleman the Member for Limerick (Mr. Monsell) evidently had some misgivings on that point, for, in the Bill, it was provided that burials should not take place during the hours of Divine worship. He (Mr. Henley) thought it would be desirable, when in Committee, to prescribe at what hours deceased persons of the different religious persuasions should be buried, or to give some power to the rectors to regulate the hours.

Mr. HADFIELD said, the Bill did not merely relate to Roman Catholics, but also had reference to the members of other Christian denominations. He begged to point out that in the burial-ground belonging to the denomination of Christians to which he belonged a very simple arrangement was adopted. It was open to all classes of Christians who chose to use it, who might perform such religious ceremonies as they desired; or, if they preferred, there might be no religious ceremony at all. No difficulty had been found in arranging the interments of different classes, under reasonable restrictions as to time, and other matters of a reasonable nature. The sting of the Bill, in the opinion of the hon. Member for North Warwickshire, seemed to be, not the burial of Roman Catholics, but of Protestant Dissenters, in the Church of England burial grounds. The hon. Gentleman seemed to have a greater dislike to Dissenters than to Roman Catholics, and lost no opportunity that the forms of the House permitted of opposing everything they wished. Their claim to interment in the Church burial-grounds in England ought not to be forgotten, and he hoped the Bill of 1863 would soon be revived. There was no reason why the privilege claimed by the Bill for Dissenters in Ireland should not be extended to their brethren in England. He hoped that a clause to that effect might be introduced in Committee; but if it endangered the passing of the Bill, he should not press it.

Mr. MONTAGU CHAMBERS hoped the House would not divide, but read the Bill a second time. The clergymen of the Church of Ireland had hitherto been placed in a false position. The Act of 1824 gave the right, not the privilege, of being buried in the Church burial-grounds in Ireland, which in many instances had been refused. Those who objected to the Bill showed that they had not advanced as they ought to have done as to their sense of what was due from them to the members of other religious denominations. At the grave all religious differences ought to be forgotten. If there was a wedge at all in this case, the thin end had been inserted by the Bill of 1824. He was, he believed, as sincere a Protestant as any Gentleman in that House; but he thought he acted in thorough conformity with Protestant principles in supporting the second reading of the Bill.

Mr. HUBBARD said, this was not so simple a case as had been described, for the Bill was supported by different speakers on contradictory premises. He did not wish to refer to the question which lurked behind this Bill—namely, that of the Irish Church. The Act of 1824 had, in the great majority of cases, worked well. Power was by that Act reserved to the clergy, because on that power depended the whole legal position of the Church in Ireland; and if it had not been an act of indulgence, but a right as this Bill proposed, there would have been no Established Church in Ireland. They could not accept this Bill without anticipating the great solution of the Irish Church difficulty which was looming before them. The Bill now before the House would be as complete an abolition of the legal *status* of the Irish Church as any that could be effected by the Resolutions of the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone). This Bill was a short cut to the point which that right hon. Gentleman proposed to reach by a more circuitous route, and con-consequently he was not prepared to agree to the second reading of the Bill. The few instances of inconvenience that had arisen were not sufficient to warrant the passing of this Bill. Believing the Bill to be unnecessary, and seeing its indirect effect upon the Irish Church, he could not support it.

Mr. CRUM-EWING supported the Bill. As a Scotchman, he protested against the views of Gentlemen opposite who opposed the Bill. In Scotland persons of all denominations were allowed to have their own religious service at their burial. He hoped the House would not pledge itself by rejecting this Bill to pursue a bigoted policy in religious matters.

Mr. REARDEN said, that the people of Ireland were not only not allowed to live in their country, but were not even allowed to be buried in it. He protested against the practice of the hon. Members for North Warwickshire and Bury St. Edmund's (Mr. Newdegate and Mr. Greene) of outraging on all occasions the feelings of the Roman Catholic Members of that House. He had a high respect for the hon. Member for North Warwickshire; but he unnecessarily insulted Roman Catholic Members by his constant reference to the Reformation. He might reply to the hon. Member by saying that Nero was an angel in comparison with Henry VIII.: and as to Elizabeth, he would not say anything of her moral character. The Reformation had led to the establishment of as many different religions as the number of years that had since elapsed. He asked how long the grievances of the Roman Catholics of Ireland were to continue?

Mr. HUBBARD rose to move that the Bill be read the second time that day six months.

Mr. SPEAKER said, that the hon. Member could not now make that Motion.

Colonel W. STUART said, as the hon. Member for Buckingham had omitted to make the Motion in his speech, he would do so. He said Protestants had as much, if not more, reason to complain of the language used by Roman Catholics towards Protestants than the former had of the latter. The remarks they had just listened to were not calculated to conciliate Protestants.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Colonel William Stuart.*)

Question put, "That the word 'now' stand part of the Question."

*Mr. Hubbard*

The House *divided*:—Ayes 74; Noes 51: Majority 23.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

## SUNDAY TRADING BILL—[Bill 40.]

(*Mr. Thomas Hughes, Lord Claud Hamilton, Mr. Lusk.*)

### SECOND READING.

Order for Second Reading read.

Mr. THOMAS HUGHES rose to move the second reading of this Bill. It was precisely similar in character to the Bill which the House read a second time last year, with the approval of the then Secretary of State for the Home Department, and which was afterwards considered in Committee of the House, when certain Amendments were inserted. That Bili, however, ultimately became a dropped Order at the end of the Session, and what he now asked the House to do was to place the Bill in exactly the same position as that in which it was left last year. When the second reading was agreed to last year, it was upon the understanding that in case the Bill came out of Committee in an objectionable form, then every hon. Member should be perfectly at liberty to oppose the third reading. That was a perfectly reasonable underderstanding, and he was quite prepared to act on it if the same course were adopted this year. The Bill was printed in the same form as last year, and the Amendment of the right hon. Gentleman the Recorder of the City of London (Mr. Russell Gurney), which had been agreed to by the Committee, not being embodied, he (Mr. Hughes) proposed to read the Bill a second time *pro formâ*, and to introduce those words at once before going into Committee. Certain hon. Members were afraid that the Bill would affect the Act of Charles II., and in order to meet their views he would be perfectly willing when the Bill was in Committee to allow a clause to be inserted to prevent the Bill in any way interfering with the operation of that Act. Under these circumstances he hoped the House would consent to read the Bill a second time.

Motion made and Question proposed, "That the Bill be now read a second time."—(*Mr. Thomas Hughes.*)

Mr. FRESHFIELD, who had given notice to move that the Bill be read a second time that day six months, said, he entirely dissented from the principle of the Bill, believing that it would be improper to alter the law which for 300 years had regulated the observance of the Sabbath in this country. But after the statement of the hon. Member, that, in Committee, he would consent to the introduction of a provision to the effect that the Act of Charles II. should not in any way be interfered with, he would consent to withdraw his opposition at this stage.

Mr. GRAHAM opposed the second reading. The exceptions contained in the Bill were so numerous as to weaken the legal sanction hitherto given to the observance of the Sabbath. They would constitute a fulcrum by means of which the enemies of the Sabbath observance would work hereafter for the further infraction of the Sabbath. He moved that the Bill be read a second time that day six months.

Mr. P. A. TAYLOR thought it was most undesirable that the question of Sunday observance should be muddled by a Bill which would involve two conflicting principles. Until the question could be dealt with in a much broader and more satisfactory way we had better leave things as they were. He should, therefore, second the Amendment, though upon quite different grounds from those urged by the Mover.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Graham.*)

Mr. FRESHFIELD said, the course which the hon. Member for Lambeth (Mr. Hughes) proposed to adopt would secure the object which the hon. Member for Glasgow (Mr. Graham) had in view. If he had thought that it would not do so he should certainly have pressed his own Motion for the rejection of the measure to a division. At the same time he was bound to say that he was of opinion that if the Bill did pass into law with the provision of which he had spoken, it would be a dead letter in its operation.

Mr. REMINGTON MILLS thought that the House would stultify itself by passing a measure involving two opposite principles. If the Bill would be a dead letter after the insertion of the provision respecting the Act of Charles II., what was the good of passing it at all? He should certainly vote against the second reading.

Colonel FRENCH wanted to know what was the use of the House spending time in the discussion of Bills introduced by private Members when there was not the slightest possibility that any result would be arrived at? There were certain public measures as to which the Government would be bound shortly to state what their intentions were with regard to pushing them forward,—as, for instance, the Irish and Scotch Reform Bills—and until the course of Public Business had been settled he should certainly oppose the second reading of this private Bill.

Lord CLAUD HAMILTON considered that hon. and gallant Member was under unnecessary alarm in supposing that this Bill would occupy any great length of time. Its principle was fully discussed last Session, and the objections then taken to it had been satisfactorily met. He hoped no further objection would be raised to its progress to-day.

Mr. GATHORNE HARDY hoped that the hon. and gallant Member (Colonel French) would be prepared to facilitate the passing of the measures to which he had alluded. But, as the House knew, certain questions had been raised, for which the Government were not responsible, and which interfered with the progress of those measures; and the sooner those questions were out of the way the better the Government would be pleased, in order that they might go on with the business before the House. With respect to the present Bill, he thought there would be ample time to discuss it, and, without committing himself to the support of the third reading, he was prepared to accept the position taken last year by his predecessor. He thought the Bill should be allowed to go into Committee, and it would afterwards be seen whether the measure in its details was one which could be approved by the House. That was the view taken by the right hon. Gentleman the Member for Oxfordshire (Mr. Henley) last year, and he (Mr. G. Hardy) thought the course was one which might be adopted with convenience now. At the same time he thought that considerable weight was to be attached to the objections both of the Mover and Seconder of the Amendment.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 68; Noes 31: Majority 37.

Main Question put, and *agreed to*.

Bill read a second time, and *committed* for *To-morrow*.

## CANONGATE ANNUITY TAX BILL.

(*Mr. M'Laren, Mr. Dunlop, Mr. Baxter.*)

[BILL 60.] SECOND READING.

Order for Second Reading read.

MR. M'LAREN, having presented several petitions in favour of the measure, said: It is not my intention to occupy the House with any very minute details upon this question. The points which I intend to mention are only those which strike one as being the most salient. I will take up the question as it now stands, mainly as a question of practical grievance. It is the only remains of a church rate which now exists in Edinburgh. That part of it which is distinctly a church rate is the payment which, by an Act passed in 1860, is fixed at £4,200 annually out of the police rates of the city in aid of the stipends of ministers. There is also another small indirect impost; but I will not take up the time of the House by entering into that point at present. The tax has been very much complained of, and it has been a constant source of heartburning and ill-will. I will take the liberty of reading two sentences from a petition which I have presented to-day from Mr. Archibald Young. This gentleman states that he belongs to the Baptist denomination, and that the doctrines of that Church preclude its members from paying anything towards the support of any other Establishment, and that he and his father have resisted doing so. On three occasions he has been dragged through the Courts of Law; and since the passing of the Act of 1860 he has had to pay £50 for legal expenses for opposing the levying of the rate; and since that time he has been dragged into the Court of Session for payment of the arrears of the old Annuity Tax, and is thereby likely to sustain an additional loss of £150. He therefore approves of this Bill as likely to put a stop to this long-vexed question. The petition is but a fair example of others which might be quoted from persons who have been put to very large expenses on account of this tax. The tax has injured the collection of the other rates of the city, which are mixed up with it, in such a degree that a very large loss occurs annually in the collection. Now, the remedy proposed in this Bill is a very simple one. I propose that out of the endowed churches of the City of Edinburgh the stipend of three of the ministers should be discontinued, and this would relieve a sum of £1,800 annually, and leave them with an endowment of £6,000 from other sources. It may be supposed by parties not conversant with the matter, that the Established Church will suffer by doing this; but I may say with confidence that nothing of the kind can by possibility occur. Hon. Members would hardly believe the paucity of attendance in some of these churches, and the extravagant expenditure which is kept up in three of these churches. The whole of the seat-rents amount to only £278, and the number of seats let in these three churches is only 790. In the other churches of the city there are no fewer than 6,674 seats unlet and free, so that if these 790 persons were to go into other churches no inconvenience could possibly arise. In the whole of the thirteen city churches there are only 8,840 sittings let, and 6,600 unlet and free; and all that is asked by this Bill is that the future ministers of the three churches I have mentioned shall not have any right to the stipends now payable. Vested interests, however, will be respected, because under the arrangement of the Bill the stipends will only cease when a vacancy shall occur in any of these three incumbencies; and after vacancies have occurred in these three cases, there will be no longer any direct church rates levied in the City of Edinburgh. Surely for such a small matter as this it is reasonable that the persons interested should consent to make this small sacrifice. When the stipends in connection with these three Churches have ceased, they may do anything they like with them for the spread of Christianity; and, under some new system, perhaps they may be better able to fill them than they are at present. I should now like to say a word or two as to the accommodation for religious bodies which at present exists in the city of Edinburgh. The Established Kirk of Scotland has 26 places of worship within the extended bounds of the municipality, but only 13 are endowed from this Annuity Tax, while 11 have no public endowment, and depend strictly upon the voluntary offerings of those who attend them, just as the Dissenting places of worship do. Then there are 2 suburban churches which have other endowments. So much for the Established Church. One great cause for this Bill being necessary is the disruption which took place in the Church of Scotland in 1843 because a great number of places of worship have since then been opened in Edinburgh. While there are only 26 Established churches altogether, 35 new Free churches have been erected since 1843, and I have reason to believe that the number of seat-holders in these 35 Free churches is more than double the number of seat-holders in all the Established churches put together. Then there are 18 churches connected with the United Presbyterian body, who are identical in faith with the Free Church, and they are now in treaty for union with the Free Church. If you take these two bodies together, therefore, you have 54 churches, as against 26 belonging to the Established Church; and I have no hesitation in saying that anyone conversant with the facts of the case will say that there are at least four times as many seat-holders in connection with them as are connected with all the Established churches put together. Then we have 12 Episcopalian churches, 4 Baptist, 3 Congregational, 3 Evangelical Union, and 3 Roman Catholic. The number of Roman Catholic churches, however, does not give a fair idea of the number of Roman Catholics attending them; for there are no less than 15,000 Roman Catholics in the city of Edinburgh. Then there are 11 churches connected with other denominations, so that, altogether, there are in Edinburgh 115 places of worship. With this fact within their knowledge, can any hon. Member in this House, or any man out of it, stand up and say that, by suppressing 3 of the Established churches, you would do the slightest injury to the Church of Scotland, or to the cause of Christianity? No man would, I think, venture to take such a stand, or to make such a statement. There is plenty of room in the other Established churches of the city. Those who oppose the Irish Church would be very inconsistent if they did not support the Bill which I now ask the House to read a second time. This measure does not seek to suppress the Scotch Church; but is only a measure for lopping off one of its superfluous parts, which circumstances have rendered altogether useless. It is, in fact, just such a measure as the First Minister of the Crown shadowed forth as that which he and his Colleagues would be willing to pass for Ireland—namely, to remove anything in the shape of superfluous accommodation—anything which was not wanted. This Bill points out superfluous accommodation which confers no practical benefit; and now that the times have so changed that all the other sects in Edinburgh—far more numerous than the Established Church—are obliged to contribute more or less directly for the support of a small minority of church-going people, I think the grievance is as great in Scotland as it is in Ireland, and, in some respects, even greater. The time was when the Church of Scotland included, perhaps, not a majority of the inhabitants, but still probably one-half; but I think at present the proportion of the people belonging to that body is so very small in Edinburgh that those who attend these churches are not one-eighth part of the population of the city. Why, then, should all the other classes of religionists who support their own ministers at their own expense be called upon to support three surplus congregations. One of these churches is the High Church, which the Queen attends when in Edinburgh, and which the judges and magistrates attend officially; but there are only 117 sittings in it which are let, and the seat-rents only amount to £42 6*s.*! The sight it exhibits is very distressing. The arrangements by this Bill are such that a grievance such as this could no longer exist; it would be entirely abolished. There is one other subject upon which I should like to touch, because a good deal has been said about it out-of-doors, and a good deal has been said in the Lobbies of this House—about some alleged compromise that took place in the year 1860, when a Bill was passed for reducing the payment for ministers. The Magistrates and Town Council of Edinburgh, at whose request I have brought in this Bill, have published a statement which has been pretty extensively circulated, in which they state the facts of the case in a condensed form. They show that they were no parties whatever to any compromise in 1860; but, on the contrary, opposed the Bill at every stage, and that even after the Bill had passed and become law there was a great meeting called in the largest room in Edinburgh, when a solemn protest was agreed to be signed against the measure; and was subscribed by 7,600 ratepayers, of whom upwards of 3,000 were Parliamentary electors, and which was presented to the Town Council; and they have never ceased in their endeavours to get the Act of 1860 repealed. In consequence of all this, they have done me the honour to ask that I would introduce this Bill for the practical repeal of that Act, and I assented with great pleasure. In so far as respects that portion of the original tax still payable under the form of a police rate, amounting to £4,200, the former Bill undoubtedly made a financial improvement. With regard to the lesser sum still paid, it was not only obnoxious in itself, but the conditions under which it was levied were also exceedingly objectionable. Having been a member of the Town Council of Edinburgh for many years, and an attentive observer of events in that city for the last fifty years, I say with confidence that no measure would give more general satisfaction to the inhabitants than that this Bill should pass into law. This is a subject which Her Majesty's Government ought to have dealt with, and I was in hopes that the learned Lord Advocate would have been able to introduce a Bill of his own; in fact, I delayed my Motion for nearly two months expecting this; and if he had brought in a satisfactory measure I should have been only too glad to have given him my support, and to have withdrawn my Bill. However, I see no chance of anything of the kind being done—in fact, it appears to be entirely out of the question, and therefore I must ask the House to be kind enough to affirm the principle of this Bill by voting for the second reading.

Mr. CRUM-EWING: I beg to second the Motion. I shall only say that if this House is of opinion that justice in matters of religious belief ought to be done to the people of Ireland, it will also do justice to the people of Scotland, and do away with a tax which has been a fertile source of discontent and strife in the city of Edinburgh. After the very excellent reasons given by my hon. Friend who introduced this Bill why it should be read a second time, I will not occupy the attention of the House by any further observations.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. M'Laren.*)

The LORD ADVOCATE, in rising to move that the Bill be read a second time this day six months, said:—I cannot help saying that any hon. Member interested in this question, who has inquired into the facts, must be quite sensible that the result of the arrangements made in 1860, and so late as 1867, has been to produce a greatly improved state of feeling in Edinburgh; and the tax is now collected in a way which is very creditable to the people of that city. I do not found upon the absence of agitation as a reason for witholding justice to the people of Edinburgh. Quite the contrary. But I hope the spirit which has existed of late in regard to this matter will have its effect, and that we shall in future find that the Annuity Tax is not that bone of contention which unfortunately it has been for so many previous years. This tax has existed, as explained by the hon. Member for Edinburgh (Mr. M'Laren) from the time of Charles I. There are many places in Scotland in which the ministers were supported by the burghs, without having any teinds for their maintenance. At the time of the Reformation, the burghs having obtained Church property on certain conditions, the obligation was imposed upon them to support the ministers. In Edinburgh, it appears that there was some arrangement of this kind; but unfortunately there was some failure of the property given, and the people of Edinburgh applied to have a tax imposed upon them for the support of their ministers. That tax has existed from that down to the present day. It was originally placed at 6 per cent., and comparing it with the rental, it amounted to 10*d.* in the pound; but from 1820 the ministers ceased to be stipendiaries, and became entitled to the whole proceeds of the tax. Previous to that time they had been to some extent stipendiaries. The city of Edinburgh had accumulated a sum in excess of that which they had paid to the ministers, amounting to £50,000. The ministers subsequently to 1820 having become entitled to the whole proceeds of the tax, considerable dissatisfaction was felt in regard to its payment. In the first place, it was held that 10*d.* in the pound was too large; and, in the second place, the tax was held to be unjust in this respect, that a large and wealthy class of persons in Edinburgh, who answered in this country to the barristers and attorneys, were wholly exempt from the payment of the tax. This caused a very natural agitation among the people. Thirdly, and more especially, the tax was objected to by those who, professing the voluntary principle, were opposed to an Establishment; and I recognize the hon. Member who introduced the Bill as a prominent objector to the tax. In the progress of that agitation in 1848, Sir John Lefevre was sent by the then Government to Edinburgh to inquire into the operation of the tax, and made a Report on the subject. He found that there were fifteen churches, and eighteen ministers in Edinburgh, and that there were some of them what were termed Collegiate churches. He recommended that the double charges should be reduced to single ones, and that the ministers should become stipendiaries; and that after the death of the existing incumbents they should have right only to a stipend of £550 a year, it being then somewhat more than £600 a year. He also recommended that exemption in favour of the legal profession should be abolished. Notwithstanding this, nothing more was done till 1851, when there was the Report of a Select Committee of the House; and the Report pointed to the reduction of the Ministers from eighteen to fifteen, and recommended that there should be a fund created for the payment of the Ministers, of which £2,200 should consist of the Annuity Tax. The Annuity Tax was therefore adhered to. Several attempts were made to settle the matter, and in 1860 the hon. Member for Edinburgh (Mr. Moncreiff) introduced a measure for the purpose of bringing it to a termination; and he proposed that the exemption in favour of the legal classes should be abolished. The result would, of course, be that there would be a large addition to the proceeds of the tax; and he proposed further that the tax should be continued in order to accumulate a fund which should be sufficient at the end of fifteen years to put an end to the tax altogether. That was a proposition which I regret exceedingly was not carried into effect; because the result would have been that by this time we should have been more than half through the period, and we should have been able to see a prospect of the complete termination of the tax. But the Lord Provost of the day addressed a letter to the hon. and learned Member, who held the office which I have now the honour to hold, suggesting that the Bill would give no relief to the parties aggrieved, and that it would be much better to reduce the amount of the tax, so that there should be a sensible relief given to the people. My hon. and learned Friend was reluctant to adopt this course, but it was pressed upon him by the authorities; and there is no doubt that it was a principle which was not combated by one individual at that stage of the proceedings—namely, that a certain portion of the Annuity Tax should be retained. Unfortunately, a discussion arose on the part of some persons who objected to the kind of security which was to be given, and to some other matters which I do not think affected the question of principle. Well, my hon. and learned Friend thought proper to proceed with the Bill, which proposed to go further than the recommendations of the Select Committee and those of Sir John Lefevre, in not only proposing to abolish Collegiate charges, but to take away the ministers from two of the churches of the Old Town, which was very distasteful to the ministers of the town of Edinburgh. But, at the same time, looking upon it as a Bill which would bring about the settlement of a long-vexed question, the result was, that these ministers did not oppose the measure, and it was passed. There were certain advantages attending the measure. The condition of the payment to ministers since the passing of the Bill of 1860 was this—A bond was granted by the city of Edinburgh over their property for an annuity of £4,200 in perpetuity. That was secured on the property of the town, which was a security that, being considered in all other cases to be a very good one, was offered to the ministers. This bond constituted the security, and the town was empowered to impose a tax for the purpose of relieving itself from the payment of the bond. No doubt it was a substitution for the Annuity Tax, which was not to be levied as such; and it was thought that it would relieve the scruples of those who objected to pay it as an Annuity Tax that it should be paid in the same way as the police tax. Further, the ministers were entitled to the seat-rents, which amounted to about £3,000 a year. There were certain burdens upon this sum—namely, the repair of the churches. The people were relieved of church rates, and the Ecclesiastical Commissioners undertook to make payment for all the repairs of the churches. It was hoped that the result of passing that Bill would have been to have put an end to all further agitation upon the subject; but the arrangements proposed were not altogether agreeable to the Church in Edinburgh, because it was thought a great grievance that some of its ministers should be taken away. The result has been this—The property of Edinburgh has for many years been increasing year by year, and if the ministers had continued to be entitled to the whole of the proceeds of the Annuity Tax, or even if they had remained stipendiaries, they would be realizing incomes of from £800 to £1,000 a year; but instead of that they consented to restrict their stipends to £600 a year, and ultimately to £550. There was also this great advantage accruing to the citizens, that the professional classes, in order to conciliate the general public, agreed to forego the exemption to which they had been up to that time entitled, and to render themselves liable to the tax; so that, for six years previous to the introduction of this Bill, the professional gentlemen who had before been exempt have contributed towards the support of the clergy, thus relieving the general public from a burden which would otherwise have fallen upon it exclusively. Therefore the House will observe that the clergy abated a large amount of the legal claim; and the professional classes subjected themselves, for the first time, to the payment of the Annuity Tax, and continued to pay it from that time to the present. Matters went on in this way down to 1866, when application was made to the House to appoint a Select Committee to report upon the subject. That Committee took evidence, but made no Report, not considering it necessary to do so. In 1866, my hon. Friend the Member for Edinburgh (Mr. M'Laren) introduced a similar Bill to the present—indeed it was almost precisely the same as the present. It was proposed that it should be read a second time at the end of February last year; and on the second reading it was rejected by a considerable majority. In the month of May one of the ministers of the Canongate died. The Canongate is under a separate municipal government, and was not included in the Bill of 1860, so that the inhabitants of the Canongate were subject to the grievance of having still to pay 10*d.* in the pound down to last year, while those of Edinburgh only paid 3*d.* in the pound, which certainly is a very considerable reduction. As soon as one of the ministers of the Canongate died, it was brought under the notice of the Government, who considered it right that the Canongate should be placed in the same position as the people of Edinburgh; and accordingly an Act was passed last Session reducing the Annuity Tax in the Canongate from 10*d.* to 3*d.* in the pound, and this Bill is now working very satisfactorily. Well, then, I confess that I do feel surprised that now, in 1868, one of the first measures brought forward is what is called the Canongate Annuity Tax Bill, after the passing of the Act of last year, one of the provisions of which is that the Annuity Tax should be abolished altogether in the Canongate—that is to say, that the reduced tax of 3*d.*, provided for by the Act of 1867, should be extinguished. And what is the provision made for the support of the ministers of the Canongate? Only one of these ministers has a claim upon the Annuity Tax for a stipend of £250. What is the provision made in this Bill for the support of this clergyman? The proposal is to give him the seat-rents; but in the Canongate, which is a very poor district, the seat-rents do not amount to more than £16 or £18, and any further provision for the minister must be made by those inhabitants of the Canongate who are able and willing to pay.

MR. M'LAREN: I beg to explain that that is not so. The Canongate minister is not to depend upon the seat-rents in his own church, but those seat-rents are to be amalgamated with the seat-rents of the city churches. The Canongate seat-rents and the city seat-rents, with the income from the other accumulated funds, would give the minister of the Canongate £250.

THE LORD ADVOCATE: That may be so; but I do not know why the burden of the Canongate church is to be thrown upon the city churches. The Canongate church and the city churches have always been kept distinct, and I do not know why the city should now bear the burden. Then it is proposed by the Bill to abolish three of the city ministers, which is going further than the Report of the Select Committee or Sir John Lefevre. But five of the city ministers were taken away in 1860. I object to any further reduction. And, with regard to the city ministers, what provision is made for them? They are to be supported out of the seat-rents. These seat-rents produce at present from £1,600 to £1,800 a year, after provision has been made out of them for the repairs of the churches. For the repairs of these churches it is now proposed that the collections at the church doors should be appropriated, amounting to about £1,400 a year. But these collections at the church doors are given for the support of the poor, and we find them a most valuable fund for preventing the spreading of pauperism. There are many persons who, by a little timely aid, are kept from actual pauperism. By this Bill, the collections at the church doors will be taken from the poor; but it does not follow that the congregations will contribute them for the purpose of repairs. I venture to say that, to take this sum away from the poor is a step which this House will not sanction. I submit, therefore, that our proper course is not to countenance this Bill by reading it a second time. It must not be supposed that the Established Church is negligent of its duties. There are other Churches doing their best for the poor throughout Edinburgh; but the Established Church is pre-eminently the Church on which the poor have claims. Dr. Maxwell Nicholson, a minister of the Tron Church, speaking of the poor in the Old Town of Edinburgh, says—

> "We have to prepare for the services of the Lord's-day. We have to visit the sick, both of our parishes and congregations; we have to visit our congregation, and the inhabitants of our parishes from house to house; we have to set agoing schools, to keep going Sunday-schools; we have to set agoing Bible-classes, we have the poor to attend to. In the Tron Church Parish we have our regular kitchen for providing food for the poor, where there is regular cooking for them. We provide them with clothing, we provide them with coal, we provide their children with education; either paying for it or seeing they are sent to schools where no payment is required. Finding that so many girls who remained in the parish went to utter ruin, we set agoing an industrial school for girls, in order to train them for domestic service. Then, in the Tron parish we have services on the Lord's-day. I do not think I shall be able to carry it on now; but during the life of my venerable colleague we had two services in church at ordinary hours, and then I had a service in the parish for the very poor on Sunday evening. Then we had two other meetings during the week for public worship; one during the day, and one in the evening. The one was superintended by a missionary, and the other was conducted by ourselves. Then, it is to be remembered, that we and the city missionaries have to do with hospitals, and charitable societies; and for myself I have to do with the Infirmary, where I have acted as colleague with Mr. M'Laren very frequently; and I believe I am well employed in attending to the noble charity, because my own parish is very greatly benefited by it. My own congregation is benefited by the Heriot School, by Heriot's Hospital, by Donaldson's Hospital, by the Destitute Sick Society, and by a great many other societies with which I am connected."

Now, these are the duties which are performed by these gentlemen in the Old Town district of Edinburgh, and they are assisted by missionaries, who are paid either by the congregations connected with the Church, or by the aid of more wealthy people in the New Town. Reference has been made to the fact of their not being many seats taken in some churches. It is unfortunate that in the case of two of these churches the clergymen are in very indifferent health, and that may to some extent explain the reason why the churches are not so well attended; but the other Old Town churches are full. I believe there are no seats to be had in them. I venture, therefore, to think that the proper course will be not to countenance this Bill, which repeals the Act of 1860 and the Act of last Session. Whether it be possible to obtain some relief for the citizens of Edinburgh from any other ecclesiastical funds in the country is a question which I certainly should be very happy to see solved in the affirmative, and I shall do my best to give some assistance in that way; but, whether that be so or not, I think it would be exceedingly dangerous to countenance this Bill by allowing it to be read a second time. I therefore move that the Bill be read a second time this day six months.

Mr. MILLER seconded the Motion, not so much on the grounds which had been so excellently stated by the right hon. and learned Lord as on account of the injustice that it did to the interests of Leith. It provided that the stipends of the Edinburgh ministers should be provided out of £4,200 to be obtained from seat rents and £2,000 from the revenues of Leith Docks. It was true that for some time past this sum of £2,000 had been levied from the Leith revenues. His constituents had never agitated for its abolition, because they felt that in any scheme for abolishing the Annuity Tax their claim would also be attended to. But now it was proposed that while the tax was to be abolished as far as Edinburgh was concerned, it was to be maintained upon the harbour and port of Leith. If he asked the hon. Member for Edinburgh why this tax was to be continued, no doubt he would say, as he had often said before that the docks and harbours of Leith were originally the property of the city of Edinburgh. It was, however, very easy to prove the fallacy of this argument. In 1838, the Corporation of the city of Edinburgh being bankrupt, brought in a Bill to sell the Leith harbours and docks to a joint-stock company, for £25,000, and the titles of the city were inquired into, and it was then found that the city had no right of property—that the harbour was public property, and was vested in the corporation in trust. If Edinburgh were to be relieved from the burden of supporting her ministers Leith ought to be relieved also.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*The Lord Advocate.*)

Mr. CANDLISH said, he apprehended that the right hon. and learned Lord Advocate would rather have the vote than the advocacy of the hon. Member for Leith (Mr. Miller). As he understood the hon. Member, he would disestablish the Church, at any rate disendow it, by withdrawing from it that which has been made its property by Act of Parliament. Whatever might be said of taxes, dues must be of the nature of property; and yet the hon. Member had proposed that the dues on the Leith Docks should be abandoned. The right hon. and learned Gentleman had spoken of the services rendered by the clergymen in the Old Town of Edinburgh. There were two answers to these statements. In the first place, their industry, Christian effort and zeal had never been called in question; and in the second place, there were other ministers in Edinburgh as zealous and as industrious, having charge of congregations as poor, and labouring in as poor a locality—yet, these rev. gentlemen had no aids external to their Churches, and were dependent for support on the voluntary efforts of their congregations. The right hon. Gentleman led the House to believe that by this Bill the income of the clergy would be reduced; but it will not reduce the stipend of a single clergyman in Edinburgh. The stipends of the clergy would remain as at present; and even their successors would be in precisely the same position, barring the three churches that were abolished by the Bill. No personal interest would be affected by it, presently or prospectively. The Bill did not ask the congregations to increase their contributions towards the maintenance of their clergy, or, if any advance was expected, it was not more than £100 in £4,000; and he apprehended that the clergy of the Established Church did not labour amongst the poor more exclusively than the Dissenting ministers; but that, on the contrary, their congregations were composed of the richer classes of the Old Town. He apprehended that there was no objection to the principle of the Bill, for it conformed to principles already adopted by Parliament in the Act of 1860. It would neither diminish the provision for the religious well-being of the city of Edinburgh, nor touch the religious belief of persons it affected. Even if they had to have recourse to other churches, there were thirty-five of the Free Church, and eighteen of the United Presbyterian Church, where precisely the same form of worship was observed as in the Established Church; but there is ample room in the churches of the Establishment for all who would be withdrawn from the churches dealt with by this Bill. The right hon. Gentleman had failed to show what damage will be done by the Bill. A case in its favour is made out by the fact that there is ample provision for the spiritual wants of Edinburgh in the existing churches, and by the fact that by the present law an injustice is inflicted upon seven-eighths of the people of Edinburgh. He was surprised that any one should defend this tax of 3*d.* in the £1, for it degraded the clergy to the position of a police force, the tax being collected in connection with and as a police tax. It appeared that the Bill of 1860 was not satisfactory either to the Dissenters or the members of the Established Church, and therefore he should suppport the Motion for the second reading of this Bill.

MR. MONCREIFF: As I carried through the Bill of 1860, I will say a few words on the Motion before the House. I shall vote in favour of the Amendment of my right hon. and learned Friend the Lord Advocate, not so much on the merits of the Bill, as because I think the settlement of 1860 was fair and equitable under the circumstances of the case; and it is not desirable to disturb that arrangement. But on the subject of the merits of the Bill, I will simply say that I doubt very much whether its finance will at all come up to the representations of the hon. Member. The substance of the Bill in point of finance is simply this—that the Established Church is left to its own voluntary resources, with the exception of the £2,000, about which the hon. Member for Leith has made so loud a complaint, the seat-rents, and the church-door collections. So far as the £2,000 is concerned, I do not think the hon. Member for Leith need be much disturbed; because if this Bill were to pass this year, next year we may find more empty churches, and on the same principle as that on which my hon. Colleague has introduced his Bill, Leith would be relieved from the payment of the £2,000. With regard to the rest of the finance of the Bill, the £4,200 can only be made available after the seat-rents—on the assumption that the church-door collections are sufficient to maintain the fabric of the building. I doubt very much whether that will be found to be the case, even if it were desirable to apply these collections in that way. If the collections were so applied, they would soon fall off in amount; and if it is intended to keep this as an endowment for the Established Church, I believe it will turn out to be an illusive idea. The question whether we should have an Established Church in Scotland is another matter altogether; but if you are to raise the question, it would be better to state boldly what principle of the Established Church should be given up, and should trust to the voluntary principle for providing the necessary appliances. I do not belong to the Established Church. I belong to the Free Church, and feel a pride in the great effort and sacrifice it has made, and the wonderful increase it has met with; but, on the other hand, let us not discuss this as a mere formal question—adopting the voluntary principle on the one hand, and rejecting it on the other. If the Established Church is to be maintained, it must be maintained with a reasonable endowment; but it is not on that ground that I shall vote with my right hon. and learned Friend. I wish to make an explanation about the settlement of 1860. That was a fair settlement of a question which had been long pending, but we are two parties—a good deal being surrendered on each side—and it would not be fair to take advantage of the surrender made by the Established Church as the groundwork of a second assault. It is, perhaps, unfortunate for me that I have been a kind of medium between the contending parties, without having much sympathy with the views of either. When I held the office now filled by my right hon. Friend, I was applied to by both sides to see whether the controversy could not be settled. There had previously been various attempts at a settlement. A Committee of the House of Commons in 1853 recommended a substantial reduction of the number of ministers, and that any deficiency in the funds for their support should be made up by an appropriation of municipal taxes. It was thought by the voluntary Dissenters of Edinburgh that if the ministers ceased to be the collectors of the tax, and it were left to the magistrates to impose, they would be able conscientiously to pay it, and that was the opinion of my right hon. Colleague in 1853, for in that year, he being the Chief Magistrate, asked me to introduce a Bill based on that principle. I introduced that Bill, and a great meeting of Dissenters in Edinburgh was almost unanimous in its favour, and the Town Council also supported it. But the clergy were opposed to the arrangement, and it fell through. In 1857 another attempt was made at the instance of the Town Council, who requested me to introduce a Bill not founded on the principle of a permanent municipal tax, but for continuing the existing tax for twelve years, doing away with the exemptions which existed, and forming a sinking fund of a capital out of which the ministers would be endowed. But that also failed. We were in this position in 1860—we had had thirty years of acrimonious warfare, and there was all manner of ill-feeling on both sides, and the greatest possible discontent, and it was felt that an arrangement should be come to by giving up something on both sides. I voted for Mr. Black's Bill in 1857. It passed the second reading with a considerable majority, but the House knew it had not the slightest chance of passing into law; and, if this Bill were carried, we should have years of conflict before us. In 1860, I made a proposal to continue the tax for fifteen years, and then put an end to it altogether; but the Town Council of Edinburgh changed their minds on this matter. I will refer to what was said by my Colleague at that time—Mr. Black—for whom this House and all who knew him have the most unfeigned respect. He said—and insisted on it in a speech at Edinburgh—that the tax should cease at the end of fifteen years; but a meeting, subsequently held, pronounced in favour of a diminished and perpetual tax, in the hope of promoting peace; and, accordingly, a Resolution to that effect was sent to me from the Lord Provost and a committee of the Town Council. At a public meeting held about the same time similar resolutions were passed, to this effect—that they would acquiesce in the proposal of a tax on occupiers, which would enable the Corporation to provide the funds for thirteen ministers at £600 a year, taking the seat-rents, the tax to be redeemable at the option of the ratepayers and undoubted security being given for the payment of the stipends. The meeting passed resolutions, and the Magistrates approved of them. I was not present at the meeting, but they communicated with me officially, and I was therefore entitled to conclude that they were agreed upon a settlement. The details, certainly, were not agreed upon; but the principle was, and it was to be a Government measure. Accordingly, my next duty was to communicate with those who were connected with the Established Church. Well, they were willing to have the ministers reduced to thirteen. The proposition in 1853 was, that they should be reduced to fifteen; so that there was a gain to this extent. No doubt it was a hard wrench, and galling to their pride as an institution, to submit to this; and doubtless they conscientiously thought that it was a diminution of the means of religious instruction in Edinburgh. But nevertheless they acquiesced in it. They acquiesced in having their stipends fixed at £600. Therefore we had the inhabitants on the one hand, and the ministers on the other, agreed upon these general principles. Upon one matter only did they differ. The Town Council meeting had asked that the seat rents should be valued, rising from £1,600 to £2,500. I found that the Church would not consent to that, because they thought it would diminish their stipends. The consideration I had, therefore, was whether I would surrender the Bill altogether, and thus have a war for another thirty years. I came to the conclusion that it was my duty not to allow the opportunity of a settlement to be lost; and I did so the more for this reason, that the whole difference in the amount of seat-rents, promised on the one hand and refused on the other, was far more than compensated for by the fact that, at that moment, there were two vacancies not filled up in the city churches, and if the Bill was lost that year those vacancies would have to be filled up, and thus the city would be saddled with two more life-interests. Now, that was the position of the Act of 1860. Great opposition has undoubtedly arisen to that Act; but, on the other hand, I must say that I think the town has received very great benefit. The question is whether we ought to go back? For my part, I think we ought not to do so. The hon. Gentleman who spoke last appears to think that the ministers levy this tax for their own support. Now, the ministers have nothing to do with it. The settlement of 1860 was a settlement of this kind: the ministers were no longer paid by the tax, but their stipends were saddled upon the property of the town, and the tax was intended for the purpose of filling up the void made in the municipal funds. And this leads me to remark that I do not think my friends of the Council have been administering the town funds in the spirit of the Act. I find that they have been paying off debts; and I do not believe that they are entitled to levy this 3*d.* in the pound for municipal purposes and to pay off the debt. In conclusion I will say that it is an unfortunate matter that we should be still embroiled in this question; but I should have been discharging my duty very inadequately were I to give my countenance and support to the Bill under the circumstances which I have endeavoured to bring under the notice of the House.

Colonel SYKES said, that some most scandalous scenes had taken place in Edinburgh in connection with this subject. The police tax was levied upon all denominations of Christians and Jews, so that the ministers were paid out of a tax contributed mainly by those who did not receive any religious benefit in return. He considered the case exactly analogous to that of church rates in England. He contended that it was most unjust to compel those who did not derive any advantage from the ministrations of these clergy — against whom, as, a body, he did not wish to say a single word; on the contrary, very many of them were distinguished for their piety, zeal, and ability; but what he did say was, that persons of other religious persuasions should not be called upon to pay towards their maintenance and support. No Dissenter ought to be compelled to contribute to this tax. What had been the result of the present state of things in Edinburgh? The Dissenters had offered to pay the tax collector the amount levied upon them for police purposes, but not the proportion which went to the clergy annuity. Of course the tax collector would not receive this, and the arm of the law was brought in; and he would quote to them an instance of what had followed. A respectable shopkeeper was told that the power of the law would be brought to bear against him if he did not pay, and that a distress would be levied upon his goods. He put armour plates around his shop and door; but the local authorities were too strong for him, for they came with a *posse* of constables, who, armed with sledge-hammers, beat in his door, his goods were carried off to an auction room and offered for sale, amidst tumult and execrations; and such scenes had been often repeated. Was not this a scandal to a Christian country? Could anything be more irreconcilable with the principle of peace and good-will to all men? Well, the question for the House to consider was, whether they desired to have these scenes repeated? He hoped they did not. It was to be regretted that the proposition made by his right hon. Friend in 1860 was not acquiesced in.

Mr. M'LAREN rose to reply. He said, in respect to the alleged compromise, I will just mention a fact, rather than enter into any argument. When the Bill was before the House, there was a petition presented against it, signed by 14,000 inhabitants; and after the Bill had received the Royal Assent, there was a public meeting held to protest against it. A memorial to the Town Council was got up, which was signed by none but householders. It received 7,600 signatures; there being no less than 3,000 of these Parliamentary electors. I now come to the question touched upon by the hon. Member for Leith. Thirty years ago it was thought desirable to take the harbour of Leith out of the hands of the Corporation of Edinburgh, who held it by a charter from Robert the Bruce. In what I am about to say I speak from personal knowledge; because I held the honorary office of City Treasurer at that time, and came to London to get the Bill carried through. Well, the Government of that day sent down the Vice-President of the Board of Trade (now Lord Taunton) to value the interest of the city of Edinburgh in the harbour, and he valued the interest of the city of Edinburgh in the harbour at £7,680 as an annuity. A Select Committee was appointed to consider this proposal, and many of the first men in Parliament of that day were appointed Members of that Committee — Sir James Graham being amongst the number. I gave evidence before the Committee; and they unanimously approved of the proposal which had been made. A few years since the same process was adopted in Liverpool; but the Corporation of that town got an annuity of £75,000 for their interest, as against our getting £7,680. The Select Committee in our case said—You must, however, pay £2,000 to the clergy out of the £7,680, and abolish a rate levied for their behoof, called the Merk per ton. All this was done as recommended by that Committee, and it is, therefore, a pure delusion to think that this payment is a burden on Leith; because, if the Established Church were abolished to-morrow, the city of Edinburgh would continue to draw this £2,000. The whole of the public bodies of Leith have petitioned in favour of this arrangement. I had the personal friendship of one who was nearly related to the hon. Gentleman — Mr. Miller — he then being the Treasurer to the Borough of Leith.

Mr. MILLER: I must claim the indulgence of the Speaker.

The SPEAKER: The hon. Gentleman is out of order. If he has anything to say, he must reserve his explanation until after the hon. Gentleman who is now in possession of the House has concluded his remarks.

Mr. M'LAREN: I am referring to the hon. Member's own father, who was a most anxious promoter of this Bill. Well, now, let me refer to another subject. I have been twitted with my opinions in 1853. That is a long time ago; and I have got wiser since that time, not only upon this, but upon many subjects. But let me say this much, that I was then in favour of household suffrage, and the abolition of the Irish Church; and yet hon. Gentlemen have made good speeches on these subjects now, while they were strongly opposed to them at the time I speak of. We live in changing times. It is said that by this Bill we are placing the Church on the voluntary system. But hon. Gentlemen who say so would appear not to know the meaning of the voluntary principle. Now, what is its meaning? Why, it means finding everything for themselves. But does this Bill propose anything like that? Certainly not. Under this Bill the clergy will get their £4,000 for seat-rents, and the £2,000 from the city of Edinburgh. Surely, then, this Bill cannot be the introduction of the voluntary system. The Lord Advocate knows well enough that this question will never be settled except on some such basis as that which I now propose. It is of no use blinking the matter. The attempt to put a stop to this grievance must ultimately succeed; and I think it would be a wise thing for the Lord Advocate to withdraw himself from the position which he has taken in connection with the matter. If the Bill fails once or twice, you may be sure the agitation will be continued; and ultimately you may find a measure carried going much further than the one at present under the consideration of the House. Under these circumstances, I hope the House will consent to read the Bill a second time.

Mr. MILLER desired to make some observations upon the speech which had just been delivered; but—

Mr. SPEAKER said, that it would not be competent for him, in explanation, to reply to the speech just made. He must confine himself to any point on which he might himself have been misunderstood.

Mr. CRAUFURD said, he had voted against this Bill on a former occasion, because he thought a compromise had been entered into between the parties; but since that time, having given the matter a fuller consideration, he had come to the conclusion that, on the present occasion, he ought to give the measure his support, and accordingly he should vote for the second reading. The question was parallel with the church rate question in this country; and the case proved how wise those who had advocated the abolition of church rates had been, in always declining to enter into any compromise whatever. Although the present measure was not the voluntary system, yet it was a step in that direction; and therefore he should give it his support.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 59; Noes 86: Majority 27.

AYES.

Amberley, Viscount
Ayrton, A. S.
Aytoun, R. S.
Baines, E.
Bazley, T.
Bright, J. (Birmingham)
Bright, J. (Manchester)
Butler, C. S.
Buxton, Sir T. F.
Candlish, J.
Cowen, J.
Craufurd, E. H. J.
Dalglish, R.
Dillwyn, L. L.
Fawcett, H.
Fildes, J.
Fordyce, W. D.
Gaselee, Serjeant S.
Gilpin, C.
Glyn, G. C.
Grenfell, H. R.
Hadfield, G.
Jackson, W.
Kinnaird, Hon. A. F.
Lamont, J.
Leatham, E. A.
Leatham, W. H.
Leeman, G.
Lewis, H.
Locke, J.
Lorne, Marquess of
Melly, G.
Merry, J.
Mills, J. R.
O'Beirne, J. L.
O'Brien, Sir P.
Padmore, R.
Paget, T. T.
Pim, J.
Platt, J.
Potter, E.
Potter, T. B.
Price, W. P.
Samuda, J. D'A.
Seely, C.
Sheridan, H. B.
Sherriff, A. C.
Simeon, Sir J.
Smith, J. B.
Stacpoole, W.
Stansfeld, J.
Stock, O.
Stuart, Col. Crichton-
Sykes, Colonel W. H.
Taylor, P. A.
Thompson, M. W.
Trevelyan, G. O.
Vivian, Capt. hn. J. C. W.
Winterbotham, H. S. P.
Young, R.

TELLERS.

M'Laren, D.
Ewing, H. E. Crum-

NOES.

Adam, W. P.
Agnew, Sir A.
Bagge, Sir W.
Barrington, Viscount
Beach, W. W. B.
Beecroft, G. S.
Bentinck, G. C.
Brett, Sir W. B.
Burke, Viscount
Capper, C.
Cartwright, Colonel
Cave, rt. hon. S.
Colebrooke, Sir T. E.
Cox, W. T.
Dimsdale, R.
Dyott, Colonel R.
Edwards, Sir H.
Egerton, hon. A. F.
Eykyn, R.
Fane, Lieut.-Col. H. H.
Fane, Colonel J. W.
Feilden, J.
Fergusson, Sir J.
FitzGerald, rt. hn. Lord O. A.
Floyer, J.

Forester, rt. hn. General
Freshfield, C. K.
Goldney, G.
Goodson, J.
Gordon, rt. hon. E. S.
Gorst, J. E.
Graves, S. R.
Gray, Lieut.-Colonel
Greenall, G.
Greene, E.
Grosvenor, Capt. R. W.
Gurney, rt. hon. R.
Gwyn, H.
Hamilton, Lord C.
Hardy, J.
Hay, Sir J. C. D.
Henley, rt. hon. J. W.
Hogg, Lieut.-Col. J. M.
Holford, R. S.
Hornby, W. H.
Horsfall, T. B.
Howes, E.
Huddleston, J. W.
Kavanagh, A.
Keown, W.
Lefroy, A.
Liddell, hon. H. G.
Lowther, J.
M'Lagan, P.
Malcolm, J. W.
Maxwell, W. H.
Meller, Colonel
Mitford, W. T.
Moffatt, G.
Moncreiff, rt. hon. J.
Montagu, rt. hn. Lord R.
Newdegate, C. N.
Noel, hon. G. J.
O'Neill, hon. E.
Paget, R. H.
Parker, Major W.
Parry, T.
Peel, rt. hon. Sir R.
Percy, Major-Gen. Lord H.
Powell, F. S.
Robertson, P. F.
Royston, Viscount
Russell, H.
Schreiber, C.
Seymour, G. H.
Smith, J.
Somerset, E. A.
Speirs, A. A.
Stirling-Maxwell, Sir W.
Stuart, Lt.-Colonel W.
Sturt, Lieut.-Colonel N.
Surtees, H. E.
Taylor, Colonel
Tollemache, J.
Whitmore, H.
Wise, H. C.

TELLERS.

Montgomery, Sir G.
Miller, W.

Words *added*.

Main Question, as amended, put, and *agreed to*.

Bill *put off* for six months.

House adjourned at a quarter after Five o'clock.

## HOUSE OF LORDS,

*Thursday, April* 23, 1868.

MINUTES.]—PUBLIC BILLS—*First Reading*—Industrial Schools (Ireland)* (69); Local Government Supplemental (1868)* (70); Petty Sessions and Lock-up Houses* (71); Prisons (Compensation to Officers)* (72).

*Second Reading*—Compulsory Church Rates Abolition (55).

*Third Reading*—Inclosure* (61), and *passed*.

### ASSASSINATION OF MR. D'ARCY M'GEE.

QUESTION.

THE EARL OF CARNARVON said, that though their Lordships had come to a Resolution, requiring Notice to be given before Questions were asked, he nevertheless hoped that, inasmuch as he had no opportunity of placing on the Paper a Notice of a Question he desired to ask in reference to a matter of some importance, the House would permit him now to put the Question to the noble Duke at the head of the Colonial Department. Their Lordships were all aware that an exceptionally atrocious crime had recently been committed in Canada. Mr. D'Arcy M'Gee, a public man of great eminence in the colony, after leaving the Parliament House, had been most cruelly and foully assassinated in the streets of the capital of Canada, and while on the door-steps of his own house. He deeply regretted the loss of Mr. D'Arcy M'Gee, not only on personal grounds, but because he thought that gentleman's services would — at the present moment especially — have been most valuable, in connection with the recent constitutional changes in Canada. Mr. D'Arcy M'Gee was the leader of the Irish Roman Catholic party in that colony, and on more than one occasion he had, by his remarkable character, and by the influence he exercised over his Irish fellow-subjects, rendered essential service to the Crown, to his adopted country of Canada, and also to his mother country, the connection with which he dearly prized. The loss of such a man was deeply to be regretted. It was said that he had fallen a victim to that dark conspiracy which embodied itself under the name of Fenianism. Not knowing how far that suspicion might be well founded, he (the Earl of Carnarvon) should be sorry to make the Fenian conspiracy responsible for another atrocious crime until its responsibility on that head was clearly and absolutely made out. For the present he would content himself with asking the noble Duke the Colonial Secretary, Whether he could give the House any information respecting this lamentable occurrence?

The Duke of BUCKINGHAM said, that it was unfortunately too true that Mr. D'Arcy M'Gee had fallen a victim to assassination on leaving the Parliament House at Ottawa. Little was known of the details beyond what had already appeared in the ordinary channels of information; but within the last twelve hours he had received from the Governor General Lord Monck, a despatch, a few passages from which would constitute the best Answer he could give to the Question addressed to him. The despatch was dated the 9th of April, 1868, and in it Lord Monck stated—

> "I have the honour—with feelings of regret and horror, to announce to your Grace the assassination of the Hon. T. D'Arcy M'Gee, M.P., at about two o'clock on the morning of Tuesday, the 7th instant. Mr. M'Gee had left the House of Commons, which had just adjourned, and walked to his own residence, which was situated close by. It would appear that while stooping down to insert a latch key in the door of his house the assassin must have come behind him and put a pistol close to the back of his head, the bullet from which passed right through and out at his mouth, causing almost instantaneous death. The general impression, in which I concur, is that this atrocious crime has been the work of some member of the Fenian organization, prompted, most likely, by the eloquent and vigorous denunciations which Mr. M'Gee persistently launched against that conspiracy. . . . . . The Government of the Dominion has offered a reward of 5,000 dollars; those of the Provinces of Ontario and Quebec 2,500 dollars each; and the cities of Montreal and Ottawa respectively 5,000 dollars and 4,000 dollars for the discovery of the perpetrator. The city of Montreal has decided that the funeral shall be a public one, conducted at the expense of the citizens; and it is the intention of my Ministers to recommend to Parliament that a provision shall be made out of the public purse for the widow and orphans of Mr. M'Gee."

In a private note written on the same day, just as the mail was closing, Lord Monck stated—

> "I think we have the perpetrator of the crime in custody, and as we have every reason to believe that several persons were privy to the act, I hope the large reward which has been offered will induce some of them to give evidence."

He could add nothing to what had been stated by the noble Earl, in reference to the loss of Mr. D'Arcy M'Gee. He feared that Mr. M'Gee had fallen a victim to the principles that guided him, and he seemed to have risked his life for what he considered the good of his country. He believed that Mr. D'Arcy M'Gee was warned beforehand — and it seemed he was not the only one—of the fate which awaited him if he persisted in the course of loyalty and devotion which he was pursuing. Within an hour of the time of his death Mr. D'Arcy M'Gee, in the course of the discussion in the Parliament at Ottawa, used as almost his last words, "Base is he who would not risk his popularity in a good cause—that of his country." It was sad to reflect that he should have fallen a victim to an act as foul as ever was committed, for his main object had been to keep his fellow-countrymen in the path of duty, and to prevent their being led astray by designing men; and his loyalty and devotion to Canada and to the mother country were his only crimes.

## COMPULSORY CHURCH RATES ABOLITION BILL.

(*Earl Russell.*)

(No. 55). SECOND READING.

Order of the Day for the Second Reading read.

**Earl RUSSELL**: My Lords, I rise to ask your Lordships to give a second reading to this Bill. The reasons for the Bill, are contained in its Preamble. It is stated that the collection of church rates has ceased to be made or collected in a great number of the parishes in the country, and that in others their collection has given rise to litigation and ill-will, and it is pleaded that it is advisable that the abolition of compulsory church rates should take place. The first part of the Bill is exceedingly clear and exceedingly plain, and practically puts an end to the compulsory payment of church rates. Your Lordships will see from the provisions of the Bill that, so far as the objection to church rates is concerned, the grievances complained of are entirely abolished, and entire satisfaction is given to those who have hitherto opposed the levying of church rates. The first clause of the Bill enacts that henceforth no proceeding shall be instituted in any ecclesiastical or other Court to enforce the payment of church rates. The next clause of the Bill provides that where money had been borrowed on the faith of church rates, or in cases where the parish is liable for an extra rate, the re-payment of the money shall continue to be secured by means of church rates. Provision is also made in regard to particular cases. The words are very general; and if they do not completely answer their object, I should be ready to assent to the introduction of any words to carry that object into effect. The object is to preserve the sum or allowances made in certain places and parishes where sums which are not applicable to the building or repair of churches, or to any purposes for which church rates are usually levied, have been, by Act of Parliament or otherwise, set apart for the purpose of giving a salary or allowance to the minister of the church in lieu of other claims that he might have. There are several cases in this metropolis—Bishopsgate and Bethnal Green for example—where by Act of Parliament the tithes have been commuted for an annual sum collected upon houses, and those sums are called by the name of church rates. It is evident that it would be inequitable to abolish the collection of such sums; and persons deriving an income from such allowances would have a fair right to complain if their income was put an end to by Act of Parliament. The second part of the Bill, which begins at the 5th clause, is by no means of the same nature as the first, and is intended solely for the purpose of keeping up the machinery of church rates where it may be considered a convenient mode for obtaining the sums necessary for the repair of the fabric of the church. Your Lordships are aware that the circumstances in connection with the levying of church rates is very different in different parishes. I remember some years ago asking an archdeacon what his experience was in relation to church rates; and his answer was that generally in towns there was a good deal of difficulty, and very grave disputes, and that very often church rates were altogether refused; but that in country parishes his experience was totally different, that with a rate of a ½*d.*, ¾*d.*, or a 1*d.* in the pound the repairs of the church were satisfactorily effected, and there was no difficulty in obtaining the vote for the rate, or in its collection. Now, the object of the clauses which commence with the 5th clause is to maintain the existing machinery in force where parishes would think it a convenient mode of collecting sums for the repair of churches; but the rate to be levied by means of that machinery will be entirely voluntary. Still, I should suppose there were a great many country parishes in which that machinery is very convenient, where there are few or no Dissenters in the parish, and all the Churchmen are willing to vote for a rate, and where therefore it would be very convenient that things should, as far as possible, be allowed to go on as usual without any disturbance of the existing system. There are further clauses in the Bill the object of which is prevention; and which declare that persons who do not happen to have subscribed to a former voluntary rate shall not be entitled to vote with respect to the levy of that which is about to be collected. Besides these there is a clause empowering owners to take upon themselves the burden of the charge instead of tenants and giving them power to vote accordingly. Such are the general provisions of the Bill, which are exceedingly simple, and which, having been brought in by Mr. Gladstone in the other House, has been received there with almost unanimous support. I trust, therefore, that it will also meet with your Lordships assent.

*Moved*, "That the Bill be now read 2$^{a}$."—(*Earl Russell*).

The Duke of BUCKINGHAM said, he must confess that he had expected to have heard more reasons adduced in support of the Preamble of the Bill than had been advanced by the noble Earl on the present occasion. He certainly could not have thought that a Bill dealing with a question which had received so much discussion and consideration for the last thirty years, and with regard to which there had been so much diversity of opinion, would have been submitted to the notice of their Lordships' House with so little preface and with so few facts adduced in its support. The noble Earl rested his whole case upon the statements of the Preamble that, in certain parishes, church rates had been discontinued in consequence of opposition, and that in other parishes their collection had given rise to litigation and ill-will. But their Lordships were left without any facts to substantiate those statements. The Preamble was no doubt true to some extent; but only, as shown by the Returns which had at various times been laid before Parliament, to a very limited extent. From these Returns it appeared that the amount received for church rates and applied to church purposes was not now less than it was in former years, taking into account the large sums contributed in several parishes under special local enactments, and by means of voluntary contributions; and certainly the last Return laid before their Lordships, in 1867, showed that, in a large majority of the parishes of England, church rates were still made and collected, and that the amount levied by such process was even then largely in excess of that which the noble Earl opposite and the Government of which he was a member in former times thought was the right sum to charge upon the Consolidated Fund for the maintenance of the churches of this country. If he felt that it was the proper course for Her Majesty's Government to call upon that House to reject the Bill upon the second reading, there would be but little difficulty in showing that the actual facts with regard to church rates and the present position of the question ought rather to induce their Lordships to condemn than to support the Bill. But there were other grounds to be taken into consideration upon this question beyond those set forth in the Preamble of the Bill. The question had been repeatedly brought under the consideration of Parliament, and Members on both sides of the House of Commons had, at various times, endeavoured to bring forward some measure which would be accepted as a satisfactory arrangement of this difficult and troublesome matter. Although those endeavours had failed in producing any measure which had met with general assent, they had no doubt had the effect of sending up to their Lordships' House the Bill now under discussion without any decided or strong opposition in the other House of Parliament; and the measure was not opposed in the House of Commons by the Government upon the second reading, nor after it had passed through Committee was there any division affecting its principle. It therefore came before their Lordships with, no doubt, a strong approval of the principle contained in it from the other House. Moreover, it could not be denied that during the thirty years or so that this question had been under consideration the circumstances with regard to church rates had to a considerable extent changed, and that it could no longer be argued that it was the universal law of the country that the churches were supported or maintained by means of church rates. That state of circumstances had arisen, not alone from the opposition which there had been in many cases to the levying of church rates; but from the fact that the spiritual wants of the population had greatly increased, requiring in many places the erection of new churches and the formation of new parochial districts. These districts had been formed and churches had been built where no compulsory powers existed by which the parishioners could be called upon to contribute to the support of those churches. That had made a material difference in the state of the question from the time when it was first brought prominently under the consideration of Parliament; and the fact that there were a considerable number of the churches in this country for the maintenance of which no compulsory powers existed, and the numerous attempts made in the other House to effect by compromise a settlement of the question, might well justify the Government in not asking the House to reject this Bill on the second reading, but rather to place it in the hands of a Committee, who would consider the various points connected with it.

If the Committee succeeded in making the measure satisfactory, the Government would ask their Lordships to pass the measure when it came back to them, and if the Committee failed in doing so they would then propose its rejection. If additional reasons were wanting for the course he had indicated, they were, he thought, to be found in the Bill itself. It consisted of two principles; but signally failed in providing the machinery for giving proper effect to those principles. The first portion was devoted to the abolition of the present power of levying compulsory rates, coupled with certain saving clauses and qualifications to guard a number of local enactments, in cases where those enactments had provided for charges by what were called church rates. The second portion purported to provide a substitute — which he presumed was the substitute the noble Earl referred to when, on a former occasion, he said he should vote against the total abolition of church rates unless some substitute was provided. The substitute now proposed was the voluntary collection of rates, and the voluntary support of the Church. This was the proposition of the Bill to meet the views of those who had steadily opposed unconditional abolition. In its present shape, however, the Bill fell singularly short of carrying out these objects. Here was a Bill for giving back to the owners and occupiers of land in this country the rates which they now paid for the maintenance of the Church, and which amounted to something over £300,000 a year; and it was proposed to return this amount to persons who had hardly asked for it, and to rest the chance of recovering the loss upon the voluntary contributions of those persons. It was essential, when they were dealing with so large an amount of taxation—which was applied to the maintenance of the fabrics and services of the Church — one-third of which, in round numbers, might be stated to be applied to the maintenance of churches whose decadence the whole nation would deplore —that the machinery and conditions provided as the substitute for compulsory rates should be carefully and well considered. He was not disposed to think that ultimately the funds of the Church would fall greatly short, under a system of voluntary contributions, as compared with a system of compulsory rating; but it was essential to the well-working of such a system as was now proposed that the power of controlling and applying the funds raised should be kept under the public eye; that the whole district for which they were collected should have a right to see to their application; and that full powers to contribute should be given to all those who might wish to do so. Now, as the Bill was framed, although the 5th clause enacted that the parishioners in vestry might agree upon a voluntary rate to be assessed upon the occupiers, the 8th clause appeared to take away that right. By the 5th clause it would appear that it was the parishioners in vestry who were to decide on the question of the rate, which, under a voluntary system, would seem to be the proper mode; but, according to the 8th clause, no person was to have the right to vote upon the question of a voluntary rate, or to be churchwarden or other officer, who had not paid his share of the preceding voluntary rate; so that persons in arrears of rate, or parishioners who had not agreed to the rate, were practically deprived of all power over the application of the funds, the control and management of which would thus come under the control of a few instead of the whole vestry. He thought that, if the voluntary system was to be relied on at all, the full right of all parishioners to vote on any question connected with the church or the election of churchwardens should be retained; and it would, in his opinion, be a great misfortune if, under the voluntary system, the control of the parish church and its maintenance were to fall into the hands of a few wealthy persons connected with the parish. It was also essential that all persons being owners of property in a parish, or representing owners, should have power to contribute to the voluntary rate, but the 10th clause, while it enabled owners to pay instead of occupiers, and to claim the vote, failed altogether to enable trustees of property to contribute, a voluntary church rate not being a legal charge. Property belonging to the Ecclesiastical Commissioners, for instance, would be unable to contribute, although the property so exempt might form a considerable part of a parish. He could not see, moreover, how the voluntary system could be carried out unless there was power to compel payment from those who had agreed to a rate; for it frequently happened, particularly in the case of small parishes, that the cost of repairing a church was spread over two or three years and over several successive rates. But those repairs under the voluntary system would depend on a rate being made, which there would be no means of compelling even those who were consenting parties at the vestry where the rate was agreed upon to pay. He thought a voluntary rate could not be successfully applied without some system by which those who agreed to the rate should be compelled to carry out their agreement. There was another point to which attention ought to be directed, and that was with regard to the liability of churchwardens and their duties with respect to Church property; and it must be recollected that it is not only the church but the burial grounds which the Bill makes dependent on voluntary contributions. Nor was it at all clearly set forth in this measure as it stood whether where a voluntary rate was refused in the first instance, and, therefore, had never been made, any rate could afterwards be levied. There were many other points which would require very careful consideration before the measure could be placed in such a form that the House ought to be called upon to say whether or not it would accept the voluntary system as a substitute for compulsory rating; and upon those grounds Her Majesty's Government had decided that it was better the Bill should be sent at an early day to a Select Committee, where a full opportunity would be given of completing and amending the measure in the points to which he had referred, and also with regard to the saving clauses and the nature and extent of the legal enactments which would be affected. There was one other point well deserving of consideration, and that was as to the means by which the incumbent and churchwardens or other persons might be incorporated as trustees to receive and apply funds given for repairing the church. There was no provision as yet in the Bill for that purpose; and there existed practically no mode by which funds not voted, but intended to be applied to repairs of the church, could be applied, except at the trouble of appointing separate trustees. He held that it must be a necessary complement of the Bill to establish some corporation, such as the incumbent and churchwardens, for the purpose of applying such grants. Believing that it would tend rather to facilitate than delay or obstruct a fair and reasonable settlement of this question to allow the measure to pass its present stage and to refer it to a Select Committee, he was not disposed to oppose the Motion for the second reading. The measure could be fully and satisfactorily discussed upon its return from the Select Committee, or upon the third reading. There was one thing which ought to be carefully guarded, and that was the maintenance of the Church of England as the Church of the many and not of the few. In any measure which established the voluntary system care should be taken to keep the control of the Church and the maintenance of its fabrics in the hands of the great body of the parishoners; so that the affairs of the Church might not be regulated by a few wealthy persons—by an autocracy sitting in close committee, where no one could vote except those who agreed to pay; but that the Church should still continue the Church of the parish in which all, even many who now objected to a rate or even to the precise form of worship that was carried on, might yet feel an interest, and take pride in supporting it and maintaining the fabric. It appeared to him that under this Bill, unless some material modifications were made in its provisions, there would be great danger that the Church would become the Church of the rich and not of the poor. Believing that the day when that occurred would be an evil day for the Church of England, and that any misfortune which happened to it, anything which should make it the Church of a sect rather than of the nation, would be a great source of ill not only to the Church but to the Empire, he wished to see the Bill modified in some important points. In announcing the views of Her Majesty's Government when declining to object to the second reading of the Bill with the intention of referring it to a Select Committee, he distinctly reserved the right of opposing it if he should think fit on the Report, and also on the third reading.

The Bishop of LONDON said, he rose at this early period of the debate, because their Lordships might be anxious to know the sentiments of the right rev. Bench on the measure before the House. He had another reason for rising—because he had been intrusted with a very important petition on the subject of one clause of the Bill, which he would explain in a few words hereafter. He had certainly no intention of opposing the second reading of the Bill. He was a member of a Select Committee of their Lordships' House eight years ago, which carefully went into the whole question of church rates and examined a great number of witnesses. On that Committee there were men who were likely to be able to form a correct judgment on the matter—the noble Earl the late head of Her Majesty's Government (the Earl of Derby) was one, the late Archbishop of Canterbury was another, and the noble Duke the President of the Council (the Duke of Marlborough), who had taken great interest in such matters, and had himself been the author of legislation regulating the condition of the Established Church. The result of the deliberations of that Select Committee was the recommendation of a system, which he believed in its essential features was embodied in the Bill of the noble Earl (Earl Russell). He very much regretted that the Report of the Select Committee to which he referred was not embodied by the noble Duke in some legislative measure at the time when it was presented to the House; for he thought the question might just as easily have been settled eight years ago as now. Since that time he had never been deceived by the apparent majorities in the other House of Parliament, which had led some people to suppose that the happy days were returning when church rates might be forced on unwilling parishes. He hoped, however, the noble Earl (Earl Russell) would forgive him if he ventured to say that it was not unlikely that some greater difficulty than might otherwise have been anticipated would be found in inducing the clergy of the Church of England to see the expediency of this measure at the present moment. They who represented the clergy more or less in that House were bound to consider their feelings on all such questions, and not their feelings only, but the feelings of the vast body who were attached to the principles of the Church of England. Now, he could not conceal from himself that the occurrences of the last six weeks had made the clergy somewhat jealous of anything which in any way affected the Established Church, and when they heard from the noble Duke who had last addressed their Lordships (the Duke of Buckingham) that this Bill dealt with the yearly amount of £300,000 of property now devoted to Church purposes, it would require, he thought, a very full statement of the merits and great calmness of discussion to restore confidence to the clergy of this country and to persuade them that there was not more in this Bill than the noble Earl stated. The noble Earl naturally took for granted that the Bill would be accepted at once, and especially on the ground, which he considered a strong one, of the names which appeared on the back of the Bill as its authors in the other House of Parliament. Now, it might be doubted whether this would recommend it to the clergy of the Church now in the same way in which it would have done some six weeks ago. He might also question whether there was not a double paternity in this Bill. They had heard from a great authority, of danger threatening the Church and State from a coalition. He expressed no opinion as to the reality of the existence of such a coalition; but they could not be blind to the fact that there were certain members of the Church of England—visionary theorists they might be called—who were in favour rather of a so-called free than of an Established Church. Those few visionaries if left to themselves would not have any great influence in the Established Church; but they were united in their view with a very compact body of opponents from without, and this Bill, in the general principle of which he acquiesced, had certainly the misfortune to have in it a clause which he thought had its origin in the Liberation Society. Now, with regard to that clause — the 2nd clause of this Bill—if their Lordships would take the trouble to read it they would fine it rather difficult to comprehend its meaning. He happened to know a little about it, but only a little. The petition, however, which he held in his hand would explain it. The petition complained of the 2nd clause, which dealt with local Acts—a very serious matter to include in a general Bill—Acts which nobody had seen, which nobody had taken the trouble to read, which nobody knew except the vestries connected with them; and if they were suddenly to pass this measure, and say that all local Acts respecting church rates were from this time forward repealed, it certainly would be desirable to inform themselves as to what were the meaning and contents of those local Acts. It did, therefore, appear to him that the wise course to take with reference to a matter so complicated as this must be that suggested by the noble Duke of referring the Bill to a Select Committee. He thought the clergy of the country would be better satisfied if the matter were thus dealt with calmly and patiently, after full and due examination by their Lordships; for his opinion was, that, at this moment, there was a very uneasy feeling in the minds of the clergy on this and similar matters. Many persons supposed that because there had been no utterance on the part of the clergy nothing was felt: but deep feelings were dumb; and their Lordships might be persuaded of this—that there was at this moment a very anxious feeling on the part of the clergy of the Church of England with regard to this question and to measures which might be in contemplation, and which might affect the very existence of the Establishment to which they belonged. He should deceive their Lordships if he led them for a moment to suppose that this feeling would not be very dangerous unless proper measures were taken to meet the natural desire of the clergy that matters which so concerned their interests should be very carefully and dispassionately considered. It had been the glory of the Church of England, during the time he had been one of its ministers, to have nothing to do with party politics. They had 20,000 educated men, clergymen of the Established Church, each of them the centre of a great sphere of influence, and yet these persons had hitherto, as a rule, abstained from mixing themselves up in matters of party politics; but if the suspicion were once to enter their minds that there was any danger of that great institution to which they belonged being tampered with for any party purpose, he could not doubt they would soon see a great change on the part of the clergy in this matter. The heads of the Church would have great difficulty in restraining those who at present, he was thankful to say, used their pulpits and influence for the sacred purposes alone to which they ought to be devoted, if any rash step were taken that might endanger the institution which they rightly believed to have been, for many hundred years, the nurse of ecclesiastical and liberal learning, the defence against Papal aggression and the revival of mediæval tyranny, and the real educator of the people of this country. The clergy looked with great anxiety and considerable jealousy on any measures which might in any way whatsoever tend to alter the position of the Church of which they were the ministers. Hence, therefore, the duty of the right rev. Bench to be able to satisfy the clergy at such a time that this Bill—to which he gave his general assent—contained nothing inimical to the interests of the Established Church. The 2nd clause of this Bill—to which he had already alluded — dealt with property secured by local Acts of Parliament. The petition which he held in his hand, which was signed by the Rector of St. Botolph's, Bishopsgate, stated that the late Bishop of London, when rector of that parish, had procured a Private Act to be passed, by which church rates were totally abolished in that parish, the rector taking on himself and his successors the payment for the maintenance of the church and its services out of the tithes of the parish. But this Bill, by the 2nd clause, would sweep away all such private Acts. He held in his hand another petition to the same effect from St. Paul's, Covent Garden. He therefore thought that great care required to be taken so that the property of the Church might not be confiscated under the name of the abolition of compulsory church rates. Having made these statements for the purpose of shewing the difficulties which would have to be considered in legislating on this subject, he repeated that he desired to support the general principle of the Bill. He believed that they had already lost all that they could lose of church rates. There were country parishes in which church rates were regularly paid; but still he was afraid that disaffection was even there gradually creeping in. ["No!"] He trusted it was not so; but in the towns church rates were not as a rule collected; and, upon the whole, he could not help thinking that as regarded the town parishes the Church would gain more than she would lose under this measure. He did not think it was unimportant to surrender even that nominal right, but it was a matter of expediency; and it seemed to him that, if there were even the shadow of a grievance in this case, it were better to have done with it and to accept the compromise which was now proposed. He had spoken of the Church as an Establishment, and it was as an Establishment that it was dealt with by this Bill; but it was not as an Establishment only that its members were attached to that great institution. They believed that the Establishment conferred great blessings upon the country; but they also believed that they had the happiness of having in their Establishment a real, true, and pure branch of the Apostolic Church of Christ, purged of its errors at the Reformation; that it had been enabled to perform spiritual functions for the good of the people; and that, if disestablished, it would continue still to perform them, but that in its present connection with the State it held a position such as no other Church in the world held for encouraging and guiding the feelings of the people, and at the same time giving full scope to that spirit of free inquiry which was the characteristic of this age.

THE ARCHBISHOP OF CANTERBURY said, that after the declaration made on the part of the Government that it was not their intention to oppose the second reading of the Bill, it would be vain for anyone to suppose that that Motion could be defeated, and he did not himself intend, therefore, to offer any opposition to the proposal. But he rose for the purpose of satisfying his own conscience, by stating the reasons why he could not accept the principle of the Bill. He saw no essential difference between the present Bill and all former Bills for total abolition of church rates. It appeared to him, also, that the measure involved a great many difficulties and complications, through which he could not see his way, and which he believed would simply end in the adoption of the voluntary principle. Government, by majorities, was one of the great principles of our Constitution, and he could not see why it should be abrogated in the case of church rates. Many of the town parishes had rejected the rate; but it was still levied in the vast majority of the country parishes; and he did not see why those parishes should be deprived of the right which they had enjoyed for centuries — of making rates for maintaining the fabric of their churches. This Bill would give to landlords that which had never been theirs, and it would take away from the poor the privilege which they had for centuries enjoyed—of having the repairs and the services of the Church defrayed by the landowners. In behalf of the clergy, as well as the poor, he deprecated the adoption of such a measure. Their Lordships were well aware of the great sacrifices which the clergy had made for the promotion of education. They were overburdened already; and he feared that, if the ancient means for maintaining the fabric of the church were withdrawn, the burden of maintaining that fabric would fall upon the clergy. So many public men had given utterance to contradictory opinions on this question, that he thought the time for quoting *Hansard* was gone by; but the arguments formerly used in that House and elsewhere in favour of the maintenance of church rates still prevailed with him; and he could not see why, in such a case as this, they should yield to agitation that which they had declined to concede to reason and to argument. It appeared to him that the principle of religious equality laid at the bottom of the question. But let them consider the consequences of adopting the principle of religious equality. It would lead to the disestablishment of the Church, and to a severance of the connection between the Church and the State. For these reasons he entertained a strong objection to the principle of the Bill. It might be slightly amended in Committee; but as he did not anticipate that any material remedy could be applied to the evils he anticipated from the measure, he had thought it his duty to express his disapproval of its principle, although he would not move that it be read a second time upon that day six months.

THE EARL OF DERBY: My Lords, I will not upon this occasion trespass at any length on the time of your Lordships but, with the opinions which I have long entertained upon this subject, I feel it is impossible for me to remain absolutely silent throughout this discussion. I cannot help expressing the very great regret which I feel that the House of Commons should, apparently from sheer weariness upon this subject, have acquiesced in this Bill; but I confess that the large majorities by which the Bill has been passed in the other House is a ground—a sufficient ground, although the only one—to justify the Government in not opposing the present Motion. Another ground put forward in defence of the measure is, that it is a compromise by which a question which has been long agitated, and which has provoked much animosity in many parts of the country, will be at last finally settled; and then it is further said that it is a compromise proposed by one who has always proved himself to be a staunch and firm supporter of the Church Establishment. Now, with regard to the latter of these two arguments, I must confess, as was confessed by the right rev. Prelate (the Bishop of London), that a short time ago I should have attached more importance to it than I do at present. I must say that I do not derive any satisfaction, or any inducement, to vote in favour of the Bill from the character of its author — or of its supposed author — in consequence of the line of conduct which he has recently adopted upon Church questions. It is said the Bill is a compromise;

but I say it is no compromise, but is an absolute and entire surrender on the part of the Established Church of the whole principle that has hitherto guided our legislation in reference to that Church. Let me just remind your Lordships of the position which the Church of England occupies towards the State. It will not be denied that there exists an obligation —a legal obligation—on the part of each parish to maintain the fabric and to defray the expense of the services of the Church. This is a right—a legal right—but a right which the Courts of Law will not enforce, because it can be enforced in the Ecclesiastical Courts. Churchwardens thus found that the law imposed upon them the duty of maintaining the fabric and the services of the Church, and they sought the judgment of the Courts for the purpose of learning whether they could impose a rate —even although a minority only of the parishioners voted in its favour. The case was brought before the Courts of Law, and ultimately it was decided by your Lordships' House against the churchwardens; and, from that period to the present, there has been no means of levying a rate unless it has received the support of the majority of the parishioners. But we are told that a voluntary rate may be levied under this Bill. That, however, can only mean a rate which any one who pleases may refuse to pay; and, while they claim all the benefits of churchmanship, may, at the same time, refuse to contribute anything towards the maintenance of the church fabric. You impose rates for a variety of objects—for public libraries, for museums, even for baths and wash-houses; and no one can decline to pay his proportion of those rates because he does not visit the museum, or because he does not study in a public library, or because he does not choose to make use of a bath or of a wash-house. The majority of the parishioners in all these cases has a right to make a rate, and the minority is bound to accept that decision. And why, I would like to know, should the Church of England be placed in a worse position than such institutions as museums, or public libraries, or baths and wash-houses? Why, if no such plea is allowed in those cases, should any dissentient person be allowed to withdraw himself from his share of a burden which has been imposed for a great Imperial purpose. A voluntary rate! What does a voluntary rate mean? It is said that in many places there is no difficulty in raising a voluntary rate; and that by that means churches are supported in several of our most populous towns, in which church rates have been long done away. But how are they supported? They are supported mainly through that least desirable—to say the least of it—system of letting out pews. The consequence of that system is, that that which was intended for the benefit of all, and more especially of the poor, is limited to the rich, who can afford to pay their contributions; and the church fabric is maintained, but maintained only for those who individually bear the burden. My noble Friend the noble Duke (the Duke of Marlborough) who assented—I believe most unwillingly—to the Motion for the second reading of this Bill, said that there are many new districts in which no church rate is levied, and in which the churches are nevertheless kept in repair. But in the formation of a new district the first step taken after the endowment is to provide a repair fund for the maintenance of the fabric; and that is a permanent fund, not liable to be dealt with according to the caprice of any individual. For my own part, I cannot help seeing that the argument on which the Bill rests is the argument of expediency, and the argument of a false expediency, in violation of a true principle. It is one of the steps—and a large one—by which the Legislature of this country is, I am afraid, rapidly advancing in the direction of placing the Established Church on a level with all other religious sects and denominations in the State. That is the object which is avowed—not by noble Lords opposite—not by those Members of your Lordships' House who support the second reading of this Bill—but by those persons behind the scenes who are working for the overthrow of all ecclesiastical Establishments, and for the universal adoption of the voluntary principle. Whatever alteration you may make in the Bill in Committee, you cannot, I believe, get rid of this its fundamental vice—that it is an abandonment, without any compensation, of the great principle that the Church of England is the Established Church of the country. That is a principle which this country has always regarded as a vital one for its existence and its Constitution. I do not go so far as the noble Earl opposite (Earl Russell) went a few years ago, when he said, "If you do away with church rates you do away with the Church, and if you do away with the Church you do away with the Throne;" but I say that by the adoption of this measure you will be unwittingly forwarding the objects of those who are opposed to all Establishments and all endowments for religious purposes, and you will be taking a large step towards what I consider a serious evil—namely, the equalization of all sects in this country, and the abolition of any distinction between the Established Church and all other denominations of Christians. At the same time I think that, considering the large majority who supported the Bill in the House of Commons, Her Majesty's Government are justified in assenting to the Motion for its second reading; and, for my part, I am not disposed to interfere with the apparent unanimity which seems to exist in this House in favour of the Motion; but I must so far enter my protest against the measure as to express my belief that no alterations that can be made in the Bill in Committee will do away with the serious objections to its details, and that even if they did the vice of its principle would remain, and would continue to be of a vital and fundamental character.

THE EARL OF CARNARVON said, that his noble Friend who had just addressed the House had admitted that his objection to the Bill was fundamental and unalterable. That, no doubt, was a position which their Lordships had to decide upon, and to determine whether they were to adopt the principle of "No Surrender" or would accept a compromise; and they would have to consider what interest the Church of England had in maintaining the existing state of things, or how far they would be benefited by the compromise. For his own part, he must frankly say that he differed in some respects from some of his noble Friends in estimating somewhat lower than they did the interest which the Church of England had in maintaining things in their present position. He saw that in many parishes throughout the country church rates were absolutely abolished; while in many others they were collected only after a process of vexatious litigation. He saw further that the amount realized was not very large, and that the existing state of the law often brought clergymen into collision with their parishioners upon that most odious of all questions, the question of money. Besides, after the decision in the Braintree case, the principle that the sustentation of the fabric of the church was a direct liability which might legally be enforced on a parish had clearly broken down. Under those circumstances, however cloudy the horizon might appear to be, believing that the Church of England had a greater work before her even than she had yet achieved, he was desirous to set her free as far as possible for the performance of that work, and he was willing to sacrifice what he looked upon as a comparatively small advantage to secure that great gain. For several years a succession of Bills had been brought before Parliament on the subject of church rates. Those Bills might be reduced to two classes—the one providing for the total and absolute abolition of the rate, the other, under the semblance of compromise, seeking, in reality, to maintain the existing state of things. Now, at the eleventh hour of the controversy, however, a measure of a different character was submitted to the notice of Parliament, which—although he should have been glad to see it different from what it was in many of its details—he must say he regarded as being drawn up in a tolerant and fair spirit of compromise. It differed, he thought, notwithstanding what had fallen from his noble Friend who had last spoken, in two or three important respects from a measure of total abolition. In the first place it had in its favour the great recommendation that it retained the churchwardens and vestry, and, indeed, the whole of the existing machinery — although, of course, in some parishes in which the levying of church rates was successfully opposed, that machinery with the charge itself would altogether disappear. There was one provision of the Bill which he deemed of the greatest value—namely, that those only who paid the rate should vote, and that those only who contributed to it should have a voice in its appropriation. He could not understand how the noble Duke (the Duke of Buckingham) could object to what was really the compensating and remedial clause for much to which he should otherwise object. It was, in fact, the essence of the compromise. Apart from these advantages possessed by the Bill their Lordships ought to consider whether there was any likelihood of more favourable terms. After the explanation that had been given of the proposal to refer the Bill to a Select Committee he could not but regard it as an intention to shelve or destroy it; and the question for those who desired to retain as much as possible of the existing systems and to abandon as little as possible of the rights and interests of the Church was whether, by rejecting the Bill or by referring it to a Select Committee, which was tantamount to its rejection, they were likely to obtain a more satisfactory settlement. Now, neither the Government nor a single Member of the House had ventured to express a belief that better terms might be expected—and indeed it was obvious they were not. It was, therefore, now in the power of the House and the Government, by accepting the second reading of the Bill and referring it in the usual course to a Committee of the Whole House, to close this long standing controversy without any great sacrifice of the dignity, the honour, or even the material interests of the Church. If, on the other hand, they rejected the Bill by sending it to a Select Committee, they might perhaps prolong the controversy—protracting it, perhaps, till next Session, but he ventured to think not much later—they would have before them an alternative which they had more than once pledged themselves to reject—namely, absolute and entire abolition.

The Archbishop of YORK said, he did not regard the proposal to refer the Bill to a Select Committee as an attempt to throw it out or shelve it, and he might say he did not intend to give any vote which would embarrass or impede the progress of the Bill. It could not be expected that he should feel any enthusiastic approval of the measure; but he believed the time had come when it was necessary that the irritation and ill-feeling attending this controversy should be done away with. He should therefore vote in favour of the second reading, and should do nothing to impede the further progress of the measure. All compromises must consist of two parts; but while the first part of the Bill conceded for ever the right of compelling payment of church rates, he could not, after a most microscopic examination, find that the second portion offered any compensation. The measure altogether overlooked the state of things existing in the large towns; where church rates were already compensated by public subscriptions, the necessary expenses of the Church were raised without any application to a vestry at all. But the Bill proposed a kind of vestry, which in the first instance would consist, as it ought to do, of every ratepayer, but which would dwindle away by the exclusion of those who could not and those who would not pay into a sort of select committee, partly official, the status of which it would be impossible to ascertain. That body would levy, with an appearance of authority, a rate which they would have no power to enforce. It was surely much better to leave alone the cases in which public subscriptions had been substituted than to attempt to set up this miserable sham of a vestry; an attempt which he very much deprecated was made in the 6th clause to mix up the voluntary contribution or subscription system with the rating system. Why should voluntary contributions go through a vestry at all? The advantage of a vestry and of the rating system that at present existed was that an estimate was framed and such a rate levied as upon a known assessment would raise the requisite amount; the calculation of ways and means being accurately adjusted to the estimated expense. But he had received a letter from an archdeacon in the Northern province informing him that at a meeting of clergy and churchwardens, convened to consider a former Bill proposing a voluntary rate, a very intelligent farmer stated that in three years the farmers would universally cease payment; only one gentleman present dissenting from that opinion. Now, he would not say that such would be the case universally; but it was the impression of intelligent men as to a particular district. He could not conceive the use of agreeing to a rate of 1*d.* or 2*d.* in the pound, if the number of those who paid gradually diminished, and if in three years nobody at all would pay. Nor would the other advantage of a vestry, that the whole parish controlled the expenditure, be secured. It was already gone under the subscription system; and under this Bill every one who neglected to pay would be ousted from the vestry. What, then, would become of the vestry? It would have no power of compulsion, and therefore could not make a rate; it would be no popular assembly of the whole ratepayers, and would therefore not be a vestry. A former Bill proposed that anybody who did not pay should not have the right of being assigned a seat in church. Now, so far from regarding such restrictions as a compensation, he looked upon them as the greatest possible evil which could befall a national Church. Much had been said in another place of the compound-householder, and of a large class of the population who did not pay a rate, however small, for the simple reason that they could not. Now to shut out such a class from the vestry because, forsooth, they had not paid a church rate might have a semblance of fairness, but just as he should object to taking away their right to come and worship, so he objected to putting them under this other disability. It had hitherto been the glory of the Church of England, though with great shortcomings, that it had endeavoured to seek out the poor of Christ's flock, and to show that the Church of a parish belonged as much to the poor as to the rich. Woe to the Church if that glory should ever be taken away; but there lurked in some of the clauses of the Bill a principle which if applied would gradually turn the poor man's Church into the Church of the rich, and the consequences which had been deprecated would then too surely follow. The position of the Church of England would be taken away, because she would have ceased to be the Church of the nation, taking care of God's poor in every part of the nation, and would have become the Church of a clique or sect — a result which the clergy would deeply deplore.

Lord COLCHESTER, who requested their Lordships' indulgence as a young Member of the House, said, he did not think it desirable that a question like this should be brought forward in the last year of the existence of an expiring Parliament; nor if the occasion had been suitable did he think the measure before the House a satisfactory compromise, or that it was framed on a satisfactory basis. Many wars had been undertaken by this country which were against the feelings of a minority of the people, and many other things were paid for out of public taxes to which many persons might be entirely opposed. It was not sufficient, therefore, to say that there were many in the country who were conscientiously opposed to the payment of church rates. It might be desirable that there should be some compromise, and that persons who conscientiously dissented from the Church should not be called upon to pay; but that was very different from what was proposed in the measure now before the House, which left payment entirely to individual caprice. They had heard much as to the cry of "No Surrender," and something also of the wisdom of yielding in time. But he would remind their Lordships that though, in the history of wars, they had often read of a general who surrendered a fortress that it might not fall in ruins, they had never heard of any who had allowed his walls to be dismantled in order that from those dismantled walls he might fire an unlimited quantity of blank cartridge. Then it was said that the new constituencies would be composed of those classes which were most under the influence of the Liberation Society. But he begged to remind those who raised this panic-stricken cry that where church rates existed they were imposed by the majority of the parishioners; whereas now an attempt was made to control the course of action of those who only used their liberty to maintain the rates. Why were they to suppose that in a national Parliament there would not be a stronger feeling in behalf of the national Church? The noble Earl (the Earl of Carnarvon) had told them that they could not hope to get better terms than were offered by this measure; but several noble Lords had shown that they could not have much worse. He trusted they would not attempt to settle this question now without giving the new Parliament an opportunity of expressing their views upon it, and that the House would not deceive themselves and the country by agreeing to an absolute surrender under the veil of what he considered a one-sided and valueless compromise.

Earl GREY said, he concurred in the second reading with the purpose of referring the Bill to a Select Committee, very much for the reasons which had been stated by the noble Duke who spoke on behalf of Her Majesty's Government (the Duke of Marlborough)—that it was not expedient that the measure should be rejected without, at least, undergoing a very careful consideration. But he could not help declaring with respect to the general policy of the measure that the abolition of church rates would be contrary both to expediency and to justice. In his opinion, the noble Earl (the Earl of Carnarvon) had greatly over-estimated the importance of the movement. That noble Earl said that church rates were already gone in a great number of parishes, and that it was only in certain places they could be maintained. Now, in a wealthy town there would be no difficulty in obtaining the money required for the maintenance of the fabrics of the church; but in the rural districts the case was very different. To his surprise, his noble Friend who had recommended to their Lordships the adoption of the Bill (Earl Russell) had employed an argument which would tell against the simple abolition of the rates, because he said that, practically, in the great majority of country parishes the system of church rates at this moment worked quite successfully—the rates were levied, people took a pride in supporting the fabric of their church, and no man would run counter to the feeling of his fellow-parishioners by resisting the payment of the rate. But what would happen under this Bill? They were told that, where there was a general consent, things would go on just as before. It would be no such thing. It was a very different thing to say that, where the majority of the parish was in favour of the rate it might be levied, and to leave the law in such a state that one individual — perhaps some publican who was angry with the clergyman of the parish for discouraging tippling—by refusing to pay his share, might dispose other people also not to pay theirs; and thus the whole system would be practically broken down. He thought that those clauses which had been inserted in the Bill as compensating clauses were an absurdity and an aggravation of the wrong which the Bill itself committed. The tendency of those clauses was to take the control of the parish churches out of the hands of the body of the parishioners and put it into the hands of a few wealthy persons. The operation of this Bill, if it passed, would in a few years place the parish churches under the control of a party having extreme opinions on one side or another. If the Bill were to be passed at all, it would be much improved, he thought, by striking out those clauses altogether. He approved sending the Bill to a Select Committee. The Bill was not recommended by his noble Friend (Earl Russell) as a compromise, but as a measure which simply gave up the whole point of dispute, and as effecting a practical settlement of the question. He (Earl Grey) thought the right compromise to have been made on this subject was, taking the state of things as they found it, to endeavour to preserve what was admittedly useful and good, to enable the majority of the parishioners to apply a certain sum of money for Church purposes out of the general rate levied for relief of the poor. He should himself submit Amendments to that effect. He was quite aware that the adoption of such Amendments would lead to the rejection of the Bill in "another place;" but it was perfectly consistent with Parliamentary usage and practice that a new Bill embodying the principle for which he contended should be introduced; and it was most fit that their Lordships should distinctly bring before the other House the propriety of making some alteration of this kind, because they would be maintaining what he thought the right of the poor man to have his church kept up for him. He looked upon the Bill in its present shape as a measure simply for robbing the poor for the benefit of the rich. It was said to be unjust to Dissenters to compel them to pay church rates, because they derived no benefit from the Church. But that argument rested upon a total misconception of the principle on which church rates proceeded. We did not ourselves pay church rates simply because we derived advantage from the services of the Church, but because, from the earliest times, the obligation was binding on the owners and occupiers of property to maintain the church for the benefit of their poorer neighbours in each parish. The poor had a right to have the church kept up for them at the expense of those who held property in the parish. Of that right this Bill would deprive them; and he, for one, could not be a party to an arrangement of that kind. He acquiesced, however, in the second reading, in the hope of engrafting upon it in Committee the principle to which he had referred.

The Bishop of OXFORD said, he desired to state in a very few words why he acquiesced as the noble Earl, who had just sat down, acquiesced, in the second reading of this Bill—in one word, he acquiesced on the ground stated by the noble Earl late at the head of Her Majesty's Government. He believed church rates to be just and to be a proper provision for the poor members of the Church of England; he regarded them as a charge on property, either inherited or obtained by purchase. Whether, therefore, that property was held by members of the Church of England or not it was no injustice whatever that that property should pay church rates. He had always held that doctrine, and he saw no reason whatever to doubt the justice of the principle. But the question now came to them under wholly different circumstances. It came with what they could not mistake to be the decision in "another place" of the representatives of the people of this country that they would not continue the system of church rates. He, for one, could not justify such a decision for a moment. On the contrary, he believed that it was a great misfortune to this country if the mind of the people under any circumstances had drifted into the position that it would be for the benefit of the religion of the poor if church rates ceased to be a charge upon property. But it seemed to him, when it was once thoroughly ascertained to be the mind of the people of this country that the change should take place, and when their Lordships had exhausted the power of sending back this question to the other House to be tested again and again, so as to ascertain that it was really the mind of the people, that the time had gone by for that House to continue its refusal. He went further and said that he could not refuse his assent to the second reading of this measure, however much be objected to it. Then the question arose, was this Bill any better than a simple abandonment of the principle of church rates? He believed it to be a great deal better. It seemed to him that the Bill promised to relieve them from the evils of a mere voluntary arrangement. The great advantage of the Bill was that it said that those who in future took the common management of Church affairs in each parish should pay a fair share of the common expense—that they must either pay that or give up their places amongst the maintainers of the Church. By that provision they got rid of the temptation under which sefishness would act of the single mean man pulling down the common subscriptions of all around him. Another great advantage was that the Bill kept alive the parochial machinery of the country for collecting and managing the Church funds. It had heen said that this would throw our parochial system into a few hands; but it must be remembered that even now the vestry had nothing to do with church rates. The management of our churches was not by law in the hands of the vestry, but in those of the Ordinary. The power of the vestry only extended to a refusal to pay in advance for anything they disapproved of. This Bill did not destroy the parochial vestry, but it confined the administration of the funds to those who gave those funds. The question to be decided was whether their Lordships would wait to see church rates abolished altogether, or whether they would accept some such provision as was offered in the present Bill? There were two provisions which he should wish to see introduced into the Bill. One was a provision to constitute the churchwardens and clergyman of each parish a corporation for receiving gifts for the maintenance of the fabric of the church. The Ecclesiastical Commissioners would not act so well for that purpose; for many persons who would be willing to give £100 for the maintenance of their parish church would not be ready to give their money unless they knew that it was invested in the hands of trustees connected with the parish, and whom they knew; the other was a provision, just and equitable, and he might almost say essential, before the principle of the Bill was carried out—namely, to give to the owners, and even life-owners of property the power of charging their estates with a sum equal to that which those estates now paid towards the maintenance of the fabric of the church, the Mortmain Act and other rights of property notwithstanding. He thought that, with these additions, the present measure would be anything but a real surrender; and if the parochial clergy were to take the matter kindly in hand and explain that the intention of the Legislature was not to do away with church rates, but to provide another mode of obtaining them, he believed that in a great many of our towns where the church rates were now lost they might be recovered under the action of this Bill. He was prepared to agree to the second reading of the Bill, with a distinct understanding that, as proposed by the Government, it should then be referred to a Select Committee, not to defeat the Bill, but to perfect it.

THE LORD CHANCELLOR said, if it were necessary at that stage of the measure to decide absolutely whether this Bill should be accepted as it stood or rejected, he owned that he should have great difficulty in giving his assent to it. In coming to that decision, he should not be at all appalled by the alternative proposed that evening—namely, that if the Bill were not accepted there was no other choice but the unconditional abolition of church rates; because, speaking for himself, he owned that if the choice were presented to him, to concur in this measure as it stood or to submit to unconditional abolition, much as he would deplore such a result, he should be willing to accept the latter alternative rather than assent to the clauses of the Bill as he understood them. But it appeared to him that there were good reasons why their Lordships should take the course suggested by the Government of referring the Bill to a Select Committee after passing its present stage. One of those reasons, no doubt, was founded upon the degree of assent which the Bill received in the other House of Parliament, not merely from one side or one party, but from Members on both sides of the House. Another reason was, that this was not the first Bill on the subject introduced into the House of Commons; but that, in previous years, measures had been offered by Members on different sides of the House which more or less proceeded in the direction of the enactments proposed by the present Bill. Another reason why he desired to see the Bill referred to a Select Committee was the very great difficulty he laboured under of understanding the effect and operation of the clauses as they were now worded. He regretted that the noble Earl who had moved the second reading (Earl Russell) had offered no explanation of what appeared to be the grave difficulties of the measure as it stood. He would not delay their Lordships by referring to that which was so well treated of by the right rev. Prelate who spoke first (the Bishop of London)—he meant the 2nd clause. It was a clause thirty lines in length, without breathing space from beginning to end, and before one had read it half through the mind was lost in utter bewilderment as to what possibly could be meant by it. They could only deal safely with local Acts of Parliament which provided for the exigencies of particular places by excepting those Acts altogether from the operation of the general measure, or by taking them up one by one, and making the alterations they intended. The cases that had been mentioned might easily be multiplied, and their Lordships might depend that every one of those Acts had been passed by way of bargain and arrangement; and if, by a general measure, Parliament opened up the arrangements that had been made, it could not fail to inflict grievous and gross injustice upon places which those local Acts at present regulated. He quite agreed with the noble Earl on the cross Benches (Earl Grey) that their Lordships could make no greater mistake than to suppose that, because at the present time, when a church rate once made was leviable under the law of the land, in the great majority of country parishes church rates were levied and paid, that therefore when the compulsion was taken away the rates would continue to be paid as they were at present. It stood to reason that it made all the difference in the world, when a rate had been made and the parishioners knew that payment could be compelled, whether the power to enforce payment were continued or taken away. But, passing from that, he wanted to know the meaning of the 5th section. As far as he could understand it, he did not believe it would have any operation at all. If he read correctly, the 5th clause did propose to act upon the old and well-known machinery and conditions, but gave new statutory authority to whom the voluntary rate was to be payable, and to whom was it to be paid? Power was given to the parishioners in vestry assembled to agree upon a voluntary rate. The necessary consequence was that there must be unanimity—a single dissentient voice would destroy the whole operation of the clause. The most he could say for the clause was that he believed it never could work. He apprehended the noble Earl would say that his understanding was that there was to be a majority and a minority; and if the majority carried the rate, their decision would operate upon those who concurred with that majority. But if that were the meaning, the clause was nothing but a device to take the fabric of the church and the management of the parish out of the hands of the parishioners. In that case the noble Earl on the cross Benches was perfectly right, and they might depend upon it that in the course of a very few years, under the operation of this clause, coupled with the 8th, a few monied men in the parish would remain masters of the situation, and would have the whole control of the church and everything connected with it. The right rev. Prelate who spoke last (the Bishop of Oxford) had said theoretically, with perfect accuracy, that the control was in the hands of the Ordinary; but they all knew how very different the state of things was practically. The control of the church rested with the incumbent and with those who had got the funds which were to be laid out upon the church. What might occur in any parish was that a few men with long purses, extremely anxious to carry out their own views, either æsthetical or ecclesiastical, would continually and vigilantly subscribe and pay the rates, and if the incumbent concurred with them they would become masters of the church, with such a margin of power as would enable them practically to operate upon it in any way they might think fit. Thus a small monied hierarchy would become masters of the church of the parish, and would render what should be a glory and a blessing to the whole parish an object of antagonism and dislike. The 6th clause offered facilities for proceedings at law for the recovery of the voluntary contributions; but he must say that nothing could be more fatal to the principle of voluntaryism than by bolstering it up with such a provision. The right rev. Prelate (the Bishop of Oxford) considered that one advantage of the Bill was that it would keep the ordinary and recognized machinery of the parish in operation. But was that so? What happened under the 7th clause? The proper persons to undertake the ordinary management of the parish church would be the churchwardens; but if the churchwarden happened to be, as he frequently might be, a non-contributor to the rate, the contributors were to appoint a treasurer of their own, and the churchwarden was to be out of office for the purpose of receiving and applying the funds. How, then, were they to be applied? What right would the treasurer of these voluntary contributions have to approach the parish church, and oust the churchwarden in the application of the money to the fabric? They would have churchwardens deprived of their jurisdiction to receive and apply the funds, and a treasurer without the power of approaching the parish church to spend the money upon it; and he wanted to know what, under these circumstances, was to become of the money? By the 8th clause it was provided that no one was to vote who had not paid the previous rate. How was it to be determined on the first occasion who was entitled to vote? But suppose they got over the difficulty on the first occasion, and a rate was made by the select body entitled to vote, it appeared that the next year the same persons, and those only, would be entitled. Suppose a new contributor wanted to come in he could not do so; because he would not have qualified himself by payment of the rate of the previous year. Thus the body of contributors would be limited to the first contributors, and might dwindle away. He did not say that clauses could not be devised which would go far to render a Bill of this kind more palateable; but certainly their Lordships ought to see that the clause presented for their consideration was such as would have a tangible and clear operation. He quite concurred with the right rev. Prelate (the Bishop of Oxford), that a most excellent provision, whether this Bill passed or not, would be to constitute a sort of special corporation—whether it were the incumbent of the parish and the churchwardens, or some other persons—to be the recipients of voluntary contributions for the maintenance of the fabric of the church. But the other proposition of the right reverend Prelate would be attended with very great danger. The proposition was that the owner of land should be authorized to charge his land with a rent-charge to the amount of the church rate, notwithstanding the Mortmain Acts. What would be the consequence of that? When land was so charged matters would go on smoothly enough so long as the owner was a member of the Church of England; but if it came into the hands of a Nonconformist, the rent-charge to him would be the old church rate to him, and he would complain as much as ever. He trusted their Lordships would allow the second reading to pass, that the Bill might go to a Select Committee—not with the view of shelving it, but to see whether the arrangements it proposed could not be presented to their Lordships in a more acceptable form, and their Lordships could say on the third reading whether the Bill as amended ought or ought not to receive their assent.

THE EARL OF HARDWICKE said, that at any rate this discussion showed that their Lordships were about to read a second time a Bill from which they entirely dissented. From the beginning to the end of the debate there had not been expressed the slightest approval of the Bill. It would go to a Select Committee, and it would come out a Bill for introducing the voluntary principle in regard to the support of the church buildings. It was the thin end of the wedge, which was now about to be driven home hard, with the view of rendering the Church of England by degrees dependent on the voluntary system, by freeing it from the State. It would thus become as much a voluntary Church, and quite as sectarian, as the Wesleyan or any other body, for whom he had a very great respect, though he did not wish to see his Church placed upon the same level. For himself, he could not vote for the second reading of the Bill. Looking at the character of the times, he did not think it was a safe policy that their Lordships should, without making the slightest effort, yield in a case in which any oppression of the people was not involved in the slightest degree. If a foreigner happened to be present at the Bar of the House during the present discussion, he would naturally imagine that the churches of England were in a state of ruin, whereas, the fact was that they were never in better condition; so that, in that respect, there was nothing to complain of under the existing law. It should be remembered that in the parishes where the church rates were still maintained they must be enforced by the will of the majority of the parish. But if voluntaryism, pure and simple, were established, in how many parishes did their Lordships suppose they would be enforced? He would remind their Lordships that there were many parishes where there were no rich people to be found. He would take the case of the fens of Lincolnshire and Norfolk, and would ask what prospect there was in those districts of maintaining the churches without rates? In many cases the Dissenters—he spoke of the religious and not of the political Dissenters—were parties to the church rate. He felt bound to offer his opposition to the destruction of the present system.

THE BISHOP OF CARLISLE said, he had addressed letters to several clergymen asking them to give him their opinion as to the facility with which church rates were collected in the rural districts, and as to the probable results of the establishment of the voluntary system; and the unanimous answer had been that the charge was easily levied; but that if the voluntary system were resorted to the rates would probably dwindle away, and the consequence would be that in those districts the maintenance of the churches would be altogether thrown on the clergy and a few rich persons. He felt it to be impossible for him, after the discussion which had taken place, to resist the second reading of the Bill; but he should reserve to himself the right of opposing any of the provisions to which he might object at a future stage.

THE MARQUESS OF BATH said, that although a nominal power of enforcing the payment of church rates existed, they had practically been abolished in all the town parishes, and that in those country parishes in which their collection was contested, ground was from year to year gained by those by whom they were opposed. It was, under these circumstances, not very difficult to foresee that the compulsory payment of church rates would before very long cease. Now, the Bill before the House was neither so very good nor so very bad as some persons seemed to imagine; and he thought it would be better that it should be dealt with by the Whole House than that it should be sent to a Select Committee, by whom alterations so considerable might be made in it as materially to endanger its prospects. The measure was a sort of compromise, and if it were materially altered there would be a danger of its not passing; and then they would have to face the danger of total abolition. They would never again meet the House of Commons under circumstances so favourable as the present; and he would ask their Lordships whether it would be wise to risk the losing all that the present Bill would save to the Church by adopting the foolish policy of "No Surrender?" He had known a Bill rejected one year, and the next year a Bill far more important in its consequences had been passed. Much, therefore, as he disliked this measure, he did not think any better terms could be secured for the Church; and he hoped noble Lords on that side of the House would not be induced by the Government, because some of the clauses were not altogether satisfactory, to run the risk of losing all the compensating clauses.

EARL RUSSELL, in reply, said, he was gratified to find that the reception of the Bill had been such that, with very few exceptions, their Lordships did not intend to oppose the second reading. Another circumstance which, he confessed, had given him great pleasure, and on which he must congratulate the House, was the presence in his place of the noble Earl lately the First Lord of the Treasury, who had spoken with such vigour as to indicate that he had greatly recovered his health. He had been somewhat surprised, however, at the position the noble Earl had taken; for he believed that some years ago Mr. Walpole, on behalf of a Government headed by the noble Earl, introduced into the other House a Bill for the abolition of compulsory church rates. He had also been surprised to hear the noble Earl compare the question of church rates to a rate for a museum or public library. In the latter case when a decision was arrived at the minority can have no difficulty in submitting to the majority; but a church rate was connected with considerations of religion and conscience, which led men to resist what, were it merely a money question, they would submit to. It was strange that after more than thirty years' discussion of this question the noble Earl should have used such an argument. But the real question which he (Earl Russell) desired the friends of the Church to consider was that this controversy had produced and was still producing ill-will and litigation, and that it was not for the interest of the Church that such agitation should continue. He believed the objectors to church rates might be divided into two classes. The first class was composed of moderate men, who really felt it a hardship and a grievance that, while supporting their own places of worship, they should be compelled to contribute to other religious edifices, which they never entered, and against the doctrines preached in which they protested. They were anxious to get rid of that grievance, and were, at the same time, willing to agree to clauses sanctioning voluntary rates. The other class were men who wished to keep this question alive for the purposes of agitation; and who thought this the best question on which they could oppose the Established Church, and they would consequently be delighted if their Lordships rejected the Bill, either by strangling it in a Select Committee or by openly refusing the second reading. He thought all judicious friends of the Church should be delighted to get rid of a question in which it can be more effectually held up to odium than any other. He thought it most unfortunate that the repair of churches was thrown centuries ago on a rate to be raised by the decision of the parishioners. In Scotland there was a different arrangement; for when a kirk or manse required enlargement or repair the heritors were summoned and contributed their share to make up the required sum. In this country the decision by a majority has given rise to great disputes and ill-will, and it appeared to him to be for the interests of the Church that it should be got rid of as soon as possible. The noble and learned Lord on the Woolsack had complained that he (Earl Russell) had not explained the clauses of the Bill. It was not his Bill, however; he had not framed it, and he should not undertake to expound its clauses. This he knew, however, that his right hon. Friend Mr. Gladstone had taken very good legal advice; and he also knew from repeated instances that when one lawyer had framed a plea or proposition, there was always some other lawyer who could pick holes in it and show that it was utterly useless. He had no doubt, therefore, that if, in a Select Committee or otherwise, the noble and learned Lord inserted clauses, the objectors to church rates, on the clauses being sent down to the other House, would pick holes in them quite as plausibly as the noble and learned Lord had done with regard to the Bill as it stood. Objection had been taken to the expression that the parishioners should "agree"—as if a unanimous decision were thereby required for a voluntary rate; but it would be easy to clear away such a difficulty by inserting "a majority of" before "the parishioners." He had been pleased to hear the speech of the right rev. Prelate (the Bishop of Oxford), and agreed with him as to the advantages of a voluntary rate as compared with a subscription; for if the parishioners decided on a rate of so much in the pound, persons would be called upon for their just proportion, and would feel morally bound to pay it; whereas, if no particular sum was asked each man might subscribe as little as he pleased. A rate would produce contributions in a much fairer proportion than would otherwise be the case. The Bill contained three important principles. The first was the abolition of compulsory payments, which, of course, was the essence of the Bill; and if it were modified, or struck out, the measure would virtually be at an end. The second principle was that all payments which, though made under the name of church rates, were, in fact, payments to the incumbent by way of commuted tithe should be continued. If it were thought necessary to recite the Acts in question, he should have no objection; for gentlemen who received their income in this manner, were as much entitled to it as other clergymen were to a rent-charge for commuted tithe. The third principle was provision for a voluntary rate, and the machinery was a question of detail. It was possible that the Bill could be better considered by a Select Committee; but he should be very reluctant to agree to that course, for if clauses were introduced in the Bill by a Select Committee in secret, and after a discussion unknown to the public, those who represented the objectors to church rates in the other House would certainly find some hidden meaning in those clauses, which they would not do had they been openly debated. Without, therefore, giving any definite opinion on the question, he was disposed to prefer the considerations of the Bill by a Committee of the Whole House. He would, however, think over the point as carefully as he could, and would inform the noble Earl opposite (the Earl of Malmesbury) what course he would take on the Motion being made to refer the Bill to a Select Committee. He would fix the Committee for Thursday next, before which day he would inform the noble Earl of his decision.

THE EARL OF MALMESBURY said, he had been much disappointed at the noble Earl not having made the Bill intelligible to the House. The noble Earl had said that it was not his Bill, and it had apparently come into the House without father or mother. Nobody was present to explain it, and it was still consequently, as at five o'clock, when their Lordships met, unintelligible to both sides of the House. The noble Earl had said that he had taken the Bill upon trust from Mr. Gladstone, that Mr. Gladstone had trusted to a lawyer to draw it up, and that it was a case of one lawyer picking holes in the work of another. He certainly thought the noble Earl should have been prepared to make the Bill perfectly intelligible; whereas it was no disrespect to him to say that he did not himself understand the 2nd clause. For his own part he had asked several lawyers and others, but nobody could understand it. A large deputation from Marylebone, moreover, had waited upon him to ask what it meant, they being in the greatest consternation, because, if the meaning were such as they apprehended, it abolished local Acts, in which case five of their clergymen would at once lose a considerable part of their incomes. The important question before their Lordships was whether the Bill should be referred to a Select Committee or not. Again he must ask the noble Earl, in all courtesy, to make up his mind as to that point. They had had some conversation on the subject before, and he found the noble Earl then not unwilling to allow the Bill to be sent to a Select Committee—in fact, if he had not misunderstood the noble Earl, he said he was willing; but the next day, after consultation with his friends, he revoked that consent, and said he thought it better to have the discussion upon the clauses take place in Committee of the Whole House. He could assure the noble Earl that Her Majesty's Government had no intention whatever of shelving the Bill; but to attempt to alter the Bill in Committee of the Whole House would produce nothing short of a perfect Babel of conversation. A Committee could be chosen to amend the Bill upstairs, and it would then re-appear before their Lordships in an improved condition. He must press the noble Earl to give an answer on this subject as soon as possible, because it was his intention, on the Motion for going into Committee, to move that the Bill be referred to a Select Committee. The noble Earl wished to go into Committee on Thursday next. That was quite as short an interval as custom would sanction. But he hoped that by to-morrow evening the noble Earl would consult with his friends and be able to state finally his intentions.

Motion *agreed to.*

Bill read $2^a$ accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

House adjourned at a quarter before Nine o'clock, till To-morrow, a quarter before Five o'clock.

# HOUSE OF COMMONS,

*Thursday, April* 23, 1868.

MINUTES.]—SELECT COMMITTEE—On Bank Holidays *nominated.*

WAYS AND MEANS—*considered in Committee.*

PUBLIC BILLS—*Ordered*—Government of India Act Amendment; Governor General of India*; Petroleum Act Amendment.*

*First Reading*—Government of India Act Amendment [91]; Governor General of India* [92]; Petroleum Act Amendment* [93].

*Second Reading*—Marriages (Frampton Mansel)* [79]; Broughty Ferry Provisional Order Confirmation* [90]; United Parishes (Scotland)* [81].

*Committee*—Ecclesiastical Commissioners Orders in Council [69].

*Report*—Ecclesiastical Commissioners Orders in Council [69].

*Considered as amended*—Legitimacy Declaration (Ireland)* [87].

*Third Reading*—Metropolis Subways* [41], and *passed.*

## MIDDLESEX REGISTRY OFFICE.

### QUESTION.

MR. CHILDERS said, he would beg to ask the Secretary of State for the Home Department, What course the Government intend to take as to the reform of the Middlesex Registry Office, and whether illegal fees have been received there since the date of Mr. Greenwood's Report?

Mr. GATHORNE HARDY said, in reply, that an official inquiry had been made by Mr. Greenwood into the circumstances of the Middlesex Registry Office, which had been laid on the table of the House. The House was aware that the Landed Estates Court had not answered the expectations formed of it, and the Lord Chancellor had issued a Commission on that Court, and he had thought it right to add to the inquiry the subject of the Middlesex Registry, thinking the two subjects to be kindred. He had received a note from the Registrar that day stating that illegal fees were not received at the Office.

In answer to Mr. Hadfield,

Mr. GATHORNE HARDY said, that the inquiry would not extend to the Yorkshire Registry Office.

### SPAIN AND PRUSSIA.—QUESTION.

Mr. AKROYD said, he would beg to ask the Secretary of State for Foreign Affairs, If he has received information that a Treaty of Commerce has recently been signed between Spain and Prussia on the part of the Germanic Confederation; and, if he can state what are the main provisions of that Treaty, and whether he can lay upon the Table of the House a Copy of the same?

Lord STANLEY replied that he had received information that such a Treaty had recently been signed; but, as he had not yet received a Copy, he was unable to state its provisions. As soon as he received a Copy he would take steps for making them known. No doubt they would be a matter of interest to the commercial community of London.

### CHINA—TREATY OF TIEN-TSIN. QUESTION.

Colonel SYKES said, he would beg to ask the Secretary of State for Foreign Affairs, Whether, in view of the expected modifications in the Treaty of Tien-tsin this year, an opportunity will be afforded to Members of the House to consider any changes before they are finally adopted?

Lord STANLEY said, in reply, that there was no absolute necessity for modifying the Treaty this year; and he could only state in reply to the hon. and gallant Gentleman, that he had no power to depart from the constitutional practice under which Treaties were made upon the responsibility of the Executive Government. He was in communication with various Chambers of Commerce, and undoubtedly any observations which any hon. Member might have to make on the subject would meet with due attention.

In answer to Mr. Layard, the noble Lord said the Treaty would not be renewed without some modification.

### INDIA—HYDERABAD.—QUESTION.

Mr. STACPOOLE said, he would beg to ask the Secretary of State for India, Why the Political Section of the Administration Report for 1862, made by Colonel Davidson, resident at Hyderabad, for which an Address was ordered on the 20th August, 1867, has not been included in the Papers laid before Parliament?

Sir STAFFORD NORTHCOTE said, in reply, that there was no Political Section in the Administration Report of 1861-2; and though there was such a Section in the Administration Report of 1862-3, it had no bearing upon the Returns laid before Parliament.

### ABYSSINIAN EXPEDITION.—QUESTION.

Mr. FAWCETT said, he would beg to ask the Secretary of State for India, Whether the Estimates he has received from Bombay of the sums expended on behalf of the Abyssinian Expedition are sufficiently full and accurate to enable the Government correctly to calculate its aggregate cost up to the present time?

Sir STAFFORD NORTHCOTE replied that the accounts received from Bombay were, he regretted to say, neither so full nor so accurate as he could have wished. They had, however, been placed in the hands of a gentleman of great experience in connection with military expeditions, and he had been engaged in making an Estimate which might be relied upon as much as any Estimate of the kind could be.

### PARLIAMENT—THE CONFERENCE ROOM.—QUESTION.

Colonel FRENCH said, he wished to ask the First Commissioner of Works, On how many occasions the present Conference Room has been used for a Conference?

Lord JOHN MANNERS said, in reply, that, in point of fact, the Room referred to by the right hon. and gallant Gentleman had not for some time been used for the purposes of a Conference. It had been and was still used as a Committee-room for the House of Lords.

### TURKEY—CONDITION OF CRETE.

#### QUESTION.

Mr. LAYARD said, he would to ask the Secretary of State for Foreign Affairs, Whether the Report of his Highness Ali Pasha upon the condition of the Island of Crete has been communicated to Her Majesty's Government; and, if so, whether he has any objection to lay it upon the Table of the House?

Lord STANLEY, in reply, said, he had received the Report alluded to by the hon. Member, and he proposed including it in the next collection of printed Papers on the subject.

### IMPORTATION OF FOREIGN CATTLE.

#### OBSERVATIONS.

Lord ROBERT MONTAGU said, he would appeal to the hon. Member for Liverpool not to bring on a Motion which stood in his name on the Paper for tomorrow, on the ground that the subject-matter of that Motion was now under inquiry by a Committee of the House. The counsel for the Southampton Dock Company had urged upon the attention of the Committee the very point which the hon. Member proposed to bring forward. It was therefore very inconvenient to ask the House to debate the question before the evidence was taken or reported, and which had, by a decision of the House itself, been referred to the investigation of a Committee.

Mr. HORSFALL said, he regretted that he could not comply with the request made by the noble Lord. The restrictions which had been imposed entailed a serious loss upon the importers, butchers, and consumers of meat, and he therefore felt bound to press his Motion.

### WAYS AND MEANS.

### THE FINANCIAL STATEMENT.

Ways and Means *considered* in Committee.

(In the Committee.)

The CHANCELLOR of the EXCHEQUER: Sir, the interest with which the Financial Statement is generally received—so far, at least, as regards the retrospect of the past year—is, on this occasion, somewhat lessened by the fact that a partial review of the financial position of the country was given to the House in November last. From the statement then made the Committee will, I think, be prepared to hear that the elasticity of the Revenue during the past year has not equalled that which we had the good fortune to hear of in connection with the years immediately preceding. But, considering all the circumstances of the case—considering we have been suffering from two bad harvests—considering that we have not yet recovered the financial depression of 1866 and the beginning of 1867—I think we have reason on the whole to congratulate ourselves on the financial condition of the country.

I propose, Sir, in the first place, to compare the Revenue, as estimated by my right hon. Friend (Mr. Disraeli) at the commencement of last year, with the actual receipts; and then, in the next place, to compare the Revenue of the year 1867-8 with that of the year 1866-7. The original Estimate of Revenue given by my right hon. Friend on the 4th of April, 1867, was £69,130,000. When the supplementary Financial Statement was made in November last there was added to that original Estimate, on account of additional Income Tax, a sum of £840,000; which makes a total of £69,970,000. Of that Estimate there has been realized in round numbers £69,600,000 only, or £370,000 less than the amount estimated. Now, I have no doubt it will be interesting to the Committee to be informed under what sources of Revenue there was a failure, and on what an excess, of the Estimate. Those sources of Revenue which exceeded the Estimate in fruitfulness are Customs by £650,000; Stamps by £201,000; Taxes by £9,000; and Crown Lands by £5,000. Those heads which have yielded something short of the Estimate are Excise by £538,000; Income Tax by £663,000; Post Office by £20,000; Miscellaneous by £14,000. Thus those sources of Revenue which have exceeded the Estimate have done so to the extent of £865,000, and the deficits of those which have fallen short of the Estimate make a total of £1,235,000. Deducting the total of increases from the total of decreases we have £370,000 as the sum by which our actual receipts have fallen short of the Estimate. I will now compare the total Revenue of 1867-8 with that of the previous year. In 1866-7 the total Revenue was £69,434,568; in 1867-8 it was £69,600,219; showing an increase of £165,651. But with reference to this it must be remembered that in 1866-7 some extraordinary sources of Revenue came to the aid of the Exchequer—the China indemnity gave us £250,000, and the New Zealand Bonds £500,000, making £750,000 of extraordinary Revenue, which, of course, was not repeated in the past year; so that to make a just comparison between the two years we must deduct this £750,000 from the Revenue of 1866-7, and having by this means brought the total down to £68,684,568, we may compare it with £69,600,219, the Revenue of 1867-8, and show that the real difference in the yield of the two years amounts to £915,651 in favour of 1867-8. Then it will, no doubt, be said that during the past year we had an additional Income Tax imposed. In the month of November it was my duty to propose an additional tax of 1*d.* on the year, or, as it was put by the right hon. Member for South Lancashire, of 2*d.* on the last half of the year. The House agreed to the proposal, and it was estimated that the additional tax would yield £840,000. This, however, was the first time that an addition to the Income Tax had been made at that period of the year, and the novelty of the proceeding prevented the whole circumstances of the case affecting the difficulty of collecting that addition within the financial year being taken into consideration. The result has been that we have failed to get into the Exchequer within the half-year half the amount we anticipated. The additional 1*d.* has brought us as yet only £377,000. It must also be remembered that last year a reduction of the marine insurance duty took effect, which caused a loss to the Revenue of £270,000; therefore, setting off the loss from the reduction of the marine insurance duty against the gain by the additional Income Tax, we have only as yet a real gain to the Revenue of £107,000. And if we deduct this £107,000 from the £915,651, which represents the increase in the yield of 1867-8 over 1866-7, we get £808,651 as the real expansion of the Revenue during the year 1867-8. I therefore think that, under all the circumstances, we may congratulate ourselves on the result. Notwithstanding the adverse circumstances to which I have alluded, we find that, although the Revenue has not expanded to the amount we have been accustomed to of late years, it has not altogether lost its elasticity, but shows a substantial advance.

*The Chancellor of the Exchequer*

Now, Sir, I have already stated the total amount of Revenue for 1867-8; but perhaps the Committee would like to know the amounts derived from each source, and the increase or decrease of each in 1867-8 as compared with 1866-7. The Customs, then, produced £22,650,000, an increase of £347,000 on the previous year; the Excise, £20,162,000, a decrease of £508,000, Stamps, £9,541,000, an increase of £121,000; Taxes, £3,509,000, an increase of £41,000; Property and Income Tax; £6,177,000, an increase of £477,000; the Post Office, £4,630,000, an increase of £160,000; Crown Lands, £345,000, an increase of £15,000; Miscellaneous, £2,586,219, an increase of £262,835; and there was the absence of anything to correspond with the China indemnity and New Zealand Bonds. It may be interesting to the Committee to have some further details regarding these sources of Revenue. Taking the Customs, I find that corn showed an increase of £71,000; dried fruits of £4,000; spirits, £126,000; tea, £168,000; tobacco and snuff, £87,000; and wine, £78,000. There were decreases in coffee to the amount of £7,000, and in sugar and molasses of £65,000. The totals showed an increase of £462,000 on the Customs receipts. But this does not appear on the sheet, because this sum is decreased partly by a reduction of casual receipts and partly by outstanding balances to £347,000. As regards Excise, I may mention an increase on licences of £371,000; on railways of £18,000; and on sugar used by brewers of £32,000; a decrease on malt of £538,000, on spirits of £240,000, on stage and hackney carriages of £40,000, and on chicory of £3,000. But it is remarkable that while spirits showed a total decrease of £240,000, there is in Ireland an actual increase of £150,000. I think this should be a subject of congratulation. [*Laughter.*] An hon. Member seems to treat that observation with ridicule; but an increase of revenue from Excise has always been deemed matter of congratulation, because, being an evidence of the consuming power of the country, it shows prosperity among the lower orders; and the figures I have stated may by that rule reasonably be taken as evidence of Ireland's material prosperity during the past year, notwithstanding Parliament has been obliged to pass special measures for the safety of the country. Therefore the total decrease for the year under the head of Excise is £400,000;

and that has been increased to £508,000, in consequence of the whole of the current charges for the cost of collection of the Inland Revenue being now paid for the first time out of the Excise. It has been transferred to that Department for the purpose of simplifying the accounts; but that fact has the effect of interfering with the comparison, unless the matter is explained. With regard to the Stamps, the principal variations have been as follows: — There has been an increase in legacy and succession duties of £285,000, in the common law court stamps of £90,000, in the receipt stamps of £10,000, and in the fire insurance stamps of £33,000. On the other hand, there is the decrease I have mentioned in marine insurances of £270,000, a decrease on bills of exchange of £45,000, on probate duty of £20,000, and on deeds of £30,000. Then, with regard to the Taxes, the Committee will recollect that there was an alteration made last year with regard to the dog duty, which was then transferred from the Taxes to the Excise; the assessed tax duty for the last year of collection having been reduced from 12*s.* to 7*s.* But, notwithstanding this reduction, the Taxes show an actual increase, which is attributable to the increase in the house duty, of £41,000, and of an increase in the Income Tax of £477,000, which latter is partly owing to the extra duty imposed last autumn under that head.

Perhaps the Committee will now allow me to advert to the somewhat striking discrepancy between the Estimate of the Revenue taken by my right hon. Friend at the commencement of last year and the actual receipts as regards the different sources of Revenue from which the National income has been derived. Now, if we compare the Customs with the Excise revenue we shall find the following to have been the result. There is an excess over the Estimate in Customs of £650,000, while there has been a decrease in the Excise of £538,000 — the excess of the Customs over the deficit of the Excise being something over £100,000. It has often been observed that, in those years when there has been a deficiency in the harvest of this country, the Excise revenue suffers while the Customs revenue increases. On those occasions we are obliged to have recourse to foreign markets for the supply of those articles which under unfavourable skies are not produced in the usual abundance in this country, and a portion of the usual revenue comes into the Exchequer through the medium of the Customs instead of through the medium of the Excise duties. Therefore, when we fail to find the amount we expect under the head of Excise, we naturally turn to the Customs duties to see if we can see anything there which will account for that deficit. And in this year, although not to the extent which might have been expected under other circumstances, we find that the Customs duties do, to a certain extent, afford some explanation of the deficit in the Excise duties. I have already stated that the Customs duties upon foreign spirits show an increase in the past year of £126,000. There has been, I believe, a falling off in the duty upon rum and brandy, but there has also been a considerable increase under the head of Geneva and other spirits. I am told that there is a spirit that comes into this country under the denomination of German spirit, which is largely used for fortifying, on account of its possessing but little flavour of its own, and it is the increased importation of this spirit which accounts for the increase under the head of Geneva and other spirits. This increase, however, must be attributed partly to the deficiency in our harvests and to our having recourse to foreign markets for spirits which we fail to get at a sufficiently low price in this country. Therefore this sum of £126,000 increase in the Customs I think may fairly be considered to have replaced an equal amount of revenue in the Excise. There is also an increase this year in the duty upon the sugar used by brewers. The excess of Excise duties upon this article amounts to £32,000, and as all sugar used by brewers, excepting the small quantity made in this country, pays Customs duty, besides paying Excise duty, it follows that part of the increase in the Customs Revenue must be attributed to the importation of sugar for brewing purposes. Now if we take roughly the proportion of duty payable under the head of Customs and of Excise upon this article, I find that the Customs duty is about three times the amount of the Excise duty. Thus we have a sum of about £100,000 of Customs revenue derived from the sugar duty, which no doubt must have replaced an equal amount of malt duty, which under other circumstances would have come under the head of Excise. These two sums taken together—the increase under the head of Geneva and other spirits, and that under the head of duty upon sugar—account for two-fifths of the difference between the estimated and the actual receipts of Excise up to last April. In addition to this, the fact I before mentioned, that the payments into the Exchequer on account of Excise revenues have been diminished by more than £100,000, must, of course, be taken into account, and that also reduces the payments under the head of Excise revenue into the Exchequer by that amount. After taking this into consideration, there is a deficit remaining of about £200,000, which must be attributed to a less amount of consumption having taken place than was anticipated at the commencement of the last financial year. Then, as regards the excess of the receipts of Customs over that which was estimated, I have already mentioned the sum of £226,000 as having found its way into the Customs which would in ordinary years have found its way into the Excise, and to that we must add £70,000 for the corn duty, also attributable to the bad harvests of the last two years. These three sums together account for nearly one-half of the excess of Customs revenue over the Estimate. The remaining increase upon the Customs receipts over the Estimate must be attributed to the increased power of consumption of the country of Customable articles, unless we assume—which I fear is too sanguine a supposition—that the increase due to the receipts of tea duties is the result of a change in the habits of the people, and that the beverage "which cheers but not inebriates" has taken the place of those ardent liquors which so often are more profitable to the Exchequer than beneficial to the individuals who consume them.

There has been a deficit in the Income Tax received, compared with the Estimate, of nearly £663,000, which is attributed by that Department to an actual loss of revenue of £200,000, and to arrears amounting to £463,000, which sum is expected to fall in during the current year. The deficit upon the Post Office arises solely from the change we have made by determining to omit from the Estimates Votes for the Postages for the public Departments. We came to the conclusion that it was useless to ask Parliament to vote money which had afterwards to be paid into the Exchequer as Revenue, and therefore we determined not to submit to the House Estimates for such postages.

Had this determination not been arrived at, it would have been necessary to have submitted to this House a Supplementary Estimate for Postages for public Departments, which would have brought up the revenue of the Post Office to the sum which it was estimated to produce. The deficiency upon the Miscellaneous Receipts is only in round numbers £14,000 short of the Estimate; but in the statement made by my right hon. Friend (Mr. Disraeli) last April he took into account a certain amount he expected to receive from the operations of the Fees and Fines (Ireland) Bill; but the House showed such a reluctance to pass that measure and sanction that transfer that the Government did not press it, and the consequence has been a certain loss to the Revenue under the head of Miscellaneous Receipts. The result of all that I have stated is a deficit of £370,000 upon the Estimates, which would have been more than counterbalanced had it not been for the delay in the collection of the Income Tax at the close of last year.

The Committee will no doubt wish to be informed of the effect of the small alterations which took place in our system of taxation last year. The alteration in the marine insurance duty was estimated to cause a loss of £210,000, but the actual loss was £270,000. I am, however, informed that this loss is more apparent than real, because there were certain old stocks of stamped papers in the hands of persons concerned in that business which have been exchanged for new ones; and this accounts for some of the loss. Then there is another matter which, although it was not dealt with as part of the Budget, must be considered as forming a part of the financial arrangements of the year—namely, the alteration in the dog duty. When the Bill upon that subject was introduced last year, this tax was estimated to produce £300,000; but the produce of the Excise duty upon dogs last year amounts to £366,000. The Committee will remember that during the year of the alteration the Excise duty was taken for merely nine months. The new duty commenced at the beginning of the last financial year. Of the £366,000 a sum of £207,000 was collected during the nine months ending 31st December, 1867, and the remaining £159,000 during the first three months of the natural year 1868. The Committee may like to have a comparison between the number of dogs brought into charge under the old system and that under the new. The number of dogs charged under the assessed taxes up to April, 1867, was 445,645. The number of dogs brought into charge under the Excise licences between April and December, 1867, was 828,341 ; and the number of dogs for which licences had been taken out this year up to March was 637,000. I think the Committee will be of opinion that the change which was made has been a success; and this result gives rise to the consideration whether, at some future time, it may not be desirable to make a like change as regards some others, if not all, of the assessed taxes. The advantage of turning assessed taxes into Excise duties is this—that you pay for the year in which the articles are kept. Under the assessed tax system no one is called for a return of the articles kept till the year has expired; and it frequently happens that the most conscientious persons, anxious to make a most correct return, are not able to do so, not remembering exactly the date of the changes made in their establishment. Besides, in making such charges it seems more reasonable that the tax should be on the number of articles kept on the year for which the charge is made, rather than on the number kept in a previous year. Moreover, a great loss often falls on the Exchequer, because people keeping articles this year may become bankrupt or insolvent, or may disappear from the country, or from the world altogether; and consequently there is a great difficulty in collecting assessed taxes to the full amount they ought to be collected. Therefore I say it will be well to consider whether at some future time it may not be well to follow the initiative taken with regard to dogs in respect of the other assessed taxes.

I now come to the Estimate of the expenditure compared with the result:—and in taking the Estimate of expenditure I am taking the Estimate of the interest of Debt and of the ordinary charges on the Consolidated Fund, as stated by my right hon. Friend at the commencement of the last year; but the Supply Services I am taking as they were voted, because, some alterations were made in them — some diminutions and some increases. I am afraid there was more increase than diminution after these Estimates were originally presented, and therefore I am taking them as they were voted. With regard to the interest of Debt, the actual payment was £26,571,750, being £178,000 less than the Estimate. The other ordinary charges on the Consolidated Fund were £1,893,898, being £6,000 less than the Estimate. The Army expenditure amounted to £15,418,582, being £118,000 more than the Estimate. The Navy charges amounted to £11,168,949, being an excess of £102,000 over the Estimate. The Miscellaneous Civil Services amounted to £8,491,342, being £83,000 more than the Estimate. The Revenue Departments took £4,883,203, being £170,000 less than the Estimate. The Post Office Packet Service was £808,518. With regard to the Extraordinary Expenditure for the Service of the Abyssinian Expedition, the Estimate was not exceeded. The whole shows a total expenditure of £71,236,242, as against an Estimate of £71,287,000; so that the expenditure was less than the Estimate by £51,000.

I now proceed to compare the expenditure for 1867-8 with that for 1866-7. In the interest of the Debt there was an increase of £489,972 ; on the other ordinary charges on Consolidated Fund an increase of £29,567 ; on the Army there was an increase of £743,042 ; on the Navy of £492,848; on Miscellaneous Civil Services of £678,648 ; on the Revenue Departments £59,245. Then there was an extraordinary item of £2,000,000 for the Abyssinian Expedition: thus making the total expenditure for 1867-8 a sum of £71,236,242, as against an expenditure of £66,780,396 for the year 1866-7, showing a total increase for the past year of £4,493,322. Of course, the Abyssinian Expedition accounts for nearly half that —namely, £2,000,000.

I come now to state the Revenue and expenditure of the previous year, as compared with each other. I have already stated the expenditure of 1867-8 at £71,236,242 ; while the Revenue was, in round numbers, only £69,600,000, showing a deficit on the year of £1,636,000 ; but I think it would be right to call attention to the fact that some part of this expenditure was not due to the year just past, but to the previous year; because there were Excess Votes taken to the amount of £228,000 for sums paid in respect of money spent in 1866-7, though they come into the account of 1867-8. The deficiency I have stated was £1,636,000; and it will be remembered that when the Supplementary Financial Statement was made to the Committee of Ways and Means in November last we estimated for a deficiency. We estimated for taking out of the balances a sum of £960,000, to which the Committee assented. The Committee would, no doubt, wish to hear how the difference between those two sums is to be accounted for. At that time we estimated a surplus of £200,000, which has not been realized. On the contrary, the Supplementary Estimates and Excess Votes have swelled the expenditure by £362,000. The expected saving of £100,000 on expenditure has not been realized in the way we then anticipated. This shows how the difference between the deficit which we estimated in November and the deficit which appeared when the accounts were actually made up is accounted for. This deficit has however been met out of the balances in the Exchequer. There was besides an excess of expenditure over income on the Revenue and expenditure of the year, also an excess of payments over receipts in the Exchequer accounts other than the Revenue and expenditure to a considerable amount, which further reduced the balances by £876,000. That is principally—indeed, I may say entirely—due to payments on the Sinking Fund account. The result is that the balances which on the 31st of March, 1867, stood at £7,294,000, were on the 31st of March, 1868, reduced to £4,782,000, showing a diminution of £2,512,000, between the two periods. I do not think that the balances stand as high as they should do; but, at the same time, we found at the commencement of this quarter sufficient to carry us through without having recourse to the Bank for advances. We have been able in this quarter to pay the interest of the Debt, the charges on the Consolidated Fund, and all other demands on the Exchequer, and to leave a sum remaining without having recourse to the assistance of the Bank. Therefore, though the balances are lower than I think they ought to be, I cannot say that, up to the present time, that has caused us any practical inconvenience.

The Committee may wish to have some account of the alterations which have been made in the Public Debt during the year that has passed. In addition to the conversion of the Bank Debt to the amount of £24,000,000 there was further a conversion into Terminable Annuities to the amount of £2,500,000 under the Acts of last Session. Besides this, we cancelled stock to the amount of £888,766 under ordinary powers. Then, Exchequer Bills have been cancelled under the permanent Acts to the amount of £45,700, while stock has been cancelled by conversion into life and other annuities under old Acts to the amount of £804,102. Then, in accordance with what I stated to the Committee in November last, Sinking Fund money to the amount of £901,638 has been applied in repayment of Bank advances, which would, if our Exchequer had been in a more flourishing state, have been applied to the extinction of the permanent Debt. The power given to the Government to renew Exchequer Bonds to the amount of £1,700,000 has been exercised, and the Bonds have been renewed; but they have been renewed on more favourable terms than before—namely, at the rate of 3¼ per cent interest, instead of 3¾ per cent and 4 per cent.

And now I come to the present financial year, 1868-9, and I think I shall best consult the convenience of the Committee if I first of all deal with the estimated ordinary expenditure and income, putting aside the Abyssinian Expedition for the present. We can afterwards see what must be added to each side of the account in consequence of that Expedition. The interest of the Debt I take at £26,700,000; other charges on the Consolidated Fund, £1,865,000. Then, as regards Supply Services, the estimated expenditure will be as follows:—For the Army, £15,456,000; for the Navy, £11,177,000; for the Civil Services, £9,173,000; for the Revenue Departments. £4,968,000; and for the Post Office Packet Service, £1,089,000. The total of these amounts is £70,428,000. It may now, perhaps, be convenient to the Committee to hear what alterations have been made in the charge for the interest of Debt in consequence of the operations of the previous year. There is an increase in respect of Terminable Annuities expiring in the year 1885 of £801,134, and on account of interest on life and tontine annuities there is an increase of £47,253, making a total of £848,387. Against this, however, savings on other accounts must be set. In the first place, a deduction of £292,870 must be made in respect of "the dead-weight annuities" which have expired. Then there is a diminution of interest on the permanent Debt, to the extent of £438,569; and on annuities for terms of years to the extent of £2,297; saving, in consequence of lowering the rate of interest on Exchequer Bonds, £11,000; a similar saving on the interest on Exchequer Bills to the amount of £26,169, and a small saving of £387 in the management of the Debt. The total amount saved by these means is £771,292, leaving only £77,095 as the net increase of the charge for Debt.

And now, I should like, if the Committee will allow me, to say a few words about the increase in the Estimates for the present year; and I think it is the more necessary that I should do so in consequence of the remarks which the hon. and gallant Gentleman the Member for Aberdeen (Colonel Sykes) began to make the other evening when, by the ruling of the Chairman, he was prevented from concluding them. These remarks had reference to the great increase of the Civil Service and Revenue Department Estimates for the present year. Now, the greater part of that apparent increase is entirely due to a different mode having been adopted in making out the accounts. It was formerly the practice in the case of regular Votes to apply the extra moneys received by a Department to the reduction of the amount it required, and only to ask the House of Commons to vote the balance; but in the early part of this Session, an Act of Parliament was passed which provided that the Treasury might require that all such extra receipts should be paid into the Exchequer, the object being that the House might have a greater control over the expenditure of the various Departments. The new system was followed in making out the Estimates for the present year, the consequence being that the Votes have been greatly increased in nominal amount. The desirability of making that change was carefully considered by the Government, and it was thought expedient to make it for this reason—because a Department might, by estimating its extra receipts under the amount it was likely to receive, really get more money to expend than the House of Commons intended it to have. Indeed, during the last few years, some glaring instances of this have occurred, and the Government, therefore, recommended the House to pass a Bill on the subject. There existed considerable difference of opinion, I am aware, as to the expediency of the change; but we were in favour of it because we were greatly impressed with the desirability of bringing under the notice of the House the whole of the expenditure of each Department, and we, therefore, introduced the Bill. To those, however, who have not carefully studied the Estimates, or the abstracts of them, the change will be exceedingly misleading, and I regret that the hon. and gallant Gentleman should have been led to think that the Government had been indulging in very extravagant notions and propositions. The fact, I believe, is that on the Navy Estimates there is really an increase of £10,000 only. In the Army Estimates, it is true, there is an increase of £200,000; but the cause of that has been already explained to the House by my right hon. Friend the Secretary of State for War. There is an increase on the Civil Service Estimates of something over £400,000. A great part of that increase—I think about £170,000 or £180,000—is attributable to the intention on the part of the Government to extend education; and the exact amount will be found under the head of "Education in England and Ireland," and "Science and Art." About £198,000 is under Class 1, for Buildings. Now, I believe that, with the exception of about £34,000, these sums are taken for the purpose of continuing works which have already received the sanction of this House, and which must therefore be of necessity followed up. I do not, of course, say it necessarily followed that the additional sums should be asked for this year; but, at all events, it was desirable to complete without delay the buildings which had been commenced. Some other items in excess this year are owing to the legislation of last year. The House has recently shown increased anxiety to prevent the food of the people from being adulterated, and also to protect the people in their employments; and in accordance with these beneficent views, Acts of Parliament were passed last year which required a great deal of inspection of people in their employments under the Home Office, and of the articles of consumption to be made use of by people at sea, under the administration of the Board of Trade. This circumstance also accounts for a considerable increase in the Civil Service Estimates. In addition to this, the Bill passed last year in regard to the Irish constabulary made a considerable increase in the Estimates; and there is also a proposition to be made this year for an increase of the Metropolitan Police, to which it is proposed that the Government should contribute in the same proportion as they have hitherto done. I believe I have now indicated the principal sources of increase in the Civil Service

Estimates for the present year, and having said this much, I will pass on to the rest of my statement.

I have stated that the total estimated ordinary expenditure of the year is £70,428,000, and I now come to the estimated Revenue, in order to see what we have to meet this expenditure. The Committee is, of course, aware that the tea duty expires in the course of the year, and that the Income Tax has already expired; and if I were strictly accurate, I might treat these duties as being entirely out of the question, and thereby show a very considerable deficit. But I think it will be more convenient that I should assume that the tea duty will be continued at the same rate as at present, and the Income Tax at the rate of 4*d.*, at which it stood in the beginning of last year. I will proceed, then, upon this assumption. I estimate the Revenue from the Customs at £22,800,000; the Excise £20,330,000; Stamps, £9,650,000; Taxes, £3,540,000; Property and Income Tax at 4*d.*, including estimated arrears, £6,900,000—those arrears amounting to £1,070,000; Post Office, £4,650,000; Crown Lands, £350,000; Miscellaneous, £3,130,000. The last item, which is very considerable, is swollen by the extraordinary receipts to which I have already alluded; and there is also a sum which we propose should be paid over to the Exchequer on the winding up of the the Irish Court of Chancery Fee and Fine Fund, but that will in reality be a repayment of moneys paid out in previous years. It is only the part-payment of a debt; and no Member of the Committee representing Ireland, however much impressed with the notion that Chancellors of the Exchequer are anxious to filch money from their country, could raise an objection to that proposition, as was done in the case of the Irish Fines and Fees Fund. The total Revenue derived from these sources we estimate at £71,350,000. Therefore, we have as the Revenue of the year on the estimate I have made £71,350,000, as against an expenditure of £70,428,000, leaving a surplus of £922,000. Now, it is right the Committee should fully understand that the whole of that surplus, and something over, is due to the arrears in the collection of the Income Tax of the previous year. Considering the state in which the balances had been left, I think the greater part of that sum ought really to be maintained as a surplus in order to strengthen the balances.

I now come to the extraordinary expenditure of the year—namely, that for the Abyssinian Expedition. It will be in the recollection of the Committee that, in moving a Vote of Credit for that Expedition, my right hon. Friend stated that a sum of £2,000,000 would be required to place the Expedition on the shores of Abyssinia, fully equipped. We have no reason to suppose that that Estimate has been exceeded. It was contemplated at the time that Sir Robert Napier would land with the whole of his force by the 1st of January, 1868, and it was stated to the Committee that, as the expense to be incurred over and above the £2,000,000 during the financial year 1867-8 would be defrayed in the first instance by the Indian Government, there would be no chance of our being called to account for that expenditure within the financial year. My right hon. Friend stated that the expenditure for the Expedition alone up to the end of April was then expected to amount to £3,500,000, or possibly £4,000,000. Considering all the circumstances of the case—considering the unknown character of the country to which we were sending our troops, and the disadvantage we were under in regard to obtaining information, owing to the distance from this country—I think the officers of the Indian Government, on whom we principally relied for our data, deserve very great credit for the Estimate which they made. But since that statement was made we have heard that the supplies to be obtained from the country itself were much less than it was anticipated they would be. The consequence is that supplies have had to be conveyed from a distance, and the estimate of transport expenditure has been considerably exceeded. Taking it that £2,000,000 will pay the expense of the Expedition up to the end of the year 1867; on the information that we have now before us, we estimate that it will require from the commencement of the natural year, from the 1st of January, 1868, £600,000 per month to defray the cost of the Expedition. Considering that the £2,000,000 clears off the account up to the end of the year 1867, we start the natural year 1868 with an expenditure of £600,000 per month. I propose to lay on the table the Estimates that have been prepared at the India Office; but I will state to the Committee the heads under which the expenditure falls. The ordinary pay of the troops is excluded, that being defrayed by the Indian Government. Sea transport will cost £400,000 per month; provisions for troops, £28,000; provision for baggage animals, £90,000; extra allowance to troops over and above their ordinary pay, £10,000; coals, £26,250; and miscellaneous items, £35,000; making a total of £589,250 per month, or in round numbers £600,000. We expect that the Expedition will last until the end of May, and that five months will have to be paid for at the rate named. ["Oh!"] The information my right hon. Friend has received from Sir Robert Napier is that he anticipates, if all goes well—and the accounts lately received lead us to suppose that all things are going on well—he shall be on his way homeward, with his back upon Theodore and his army, by the 20th of April. If there be any further charge we believe it will be very small in amount, and it will probably be met by the supplies taken back by the Indian Government. Therefore we have no reason to suppose there will be any additional charge of more than an insignificant amount; assuming, of course, that the Expedition closes by the end of May. I am told that I used an expression of a somewhat ambiguous nature with regard to a British commander turning his back on his enemy—of course I meant after the enemy had been defeated, and not before. According to information at our disposal we estimate the total expenditure for the Abyssinian Expedition, supposing that it is successful, and supposing, as we have reason to hope, that it leaves the country by the end of May, at £5,000,000. Of that £2,000,000 has been already provided for, and £3,000,000 has now to be provided. The Committee will be desirous of knowing how the Government propose to meet this expenditure. If there were reason to suppose that that expenditure would be of anything more than of a temporary nature—as we have every reason to suppose it will not be—if there were reason to suppose that it was likely to last for any considerable time, we should certainly have felt it to be our duty to propose to the Committee the imposition of extraordinary taxation upon articles of consumption. But we consider that the expense of this Expedition will cease within a very short time; and, under these circumstances, it appears to us very objectionable to cause great disturbance of trade by alterations of the Customs tariff. The imposition of extraordinary duties upon articles of general consumption would cause two disturbances—one when the duties were put on, and another when they were taken off. Our experience has been that when such changes are made the general public usually gets the worst of it, and a large profit goes into the hands of those few people who are highly intelligent in the pursuit of their trade. I gather from the expression of opinion around me that the view of the Government in that respect is approved by the Committee. Then there comes the resource which the most obtuse Chancellor of the Exchequer would naturally think of, and that is the Income Tax. In estimating the ordinary Revenue of the year, I have supposed that the Income Tax would be continued at 4*d.* If it were taken at 6*d.* for the present year the additional 2*d.* would give us this result: we should get, according to the estimate of the Department, by an addition of 2*d.* to the Income Tax for the year, £2,900,000, or very nearly the sum we estimate will be required for the cost of the Expedition. [Mr. Gladstone: But not all within the year.] The right hon. Gentleman (Mr. Gladstone) says "Not all within the year." But the right hon. Gentleman has shown us the way of doing so: for I think it was part of one of his financial schemes to impose extra Income Tax, and throw it all upon the first half year; and that is a mode of raising the money within the year. There is this inherent fault in the Income Tax, that, if imposed upon the whole of the year, in the ordinary way, the greater part of it does not come in within the year. The right hon. Gentleman has before now got over that difficulty by imposing the extra Income Tax on one half of the year. If that course can be avoided, it is one that I think ought not to be followed. Suppose the Committee assent to my proposition, and fix the Income Tax at 6*d.* this year, and we were to collect the extra 2*d.* in the first half-year, it would be virtually laying an 8*d.* tax upon the income of that half of the year. That, I think, would be a course more oppressive than there is any necessity to adopt under present circumstances. And, in addition to its being oppressive, there is a certain amount of inequality in it; because, when property changes hands, it is difficult to adjust the burdens falling upon it unless they fall equally throughout the year. Therefore, I think it is desirable that that course should, if possible, be avoided.

Now, what I propose is to impose a 6*d.* Income Tax in the ordinary way, and spread it over the whole of the year. Then the necessities of the Exchequer will be such that if we merely take the extra 2*d.* in the ordinary way we shall not obtain the money we want. According to our Estimate we should obtain by an extra 2*d.* of Income Tax in the present year £1,800,000, and in the year to come £1,100,000. Now, what I have to propose to the Committee is this—that we should take power to issue Exchequer Bonds for one year to the amount of £1,000,000, to anticipate the receipt of the extra 2*d.* of Income Tax, which will fall into the Exchequer next year. We ask the Committee to assent to that course on the full understanding that, if it be adopted, this £1,000,000 of Exchequer Bonds is to be paid off next year. At the time we are asking for power to issue these Bonds we are actually providing by taxation within the year for the means of paying them off, and, therefore it cannot be said that we are trusting to the future. We ask for this power, but it does not at all follow that we need exercise the power. Though we have estimated the expenditure of the Expedition now unpaid at £3,000,000, it does not follow that that sum will be called for within the present financial year. The expenditure is defrayed in the first instance by the Indian Government, and the experience of past arrangements between the Imperial and Indian Governments leads us to suppose that it is quite possible that the accounts will not be adjusted by the end of the financial year, and in that case the whole of the money will not be called for within that period. I believe that in the case of the last China War the accounts are still open between the Indian and the Home Governments. Then, again, there is another reason why it is possible that, if we are intrusted with this power, we may not be called upon to exercise it. The past year has been a year of depression. It has been exceedingly difficult to estimate the Revenue for the present year, and we have thought it prudent under existing circumstances to make a careful and a low Estimate. Under these circumstances it is possible that if commercial prosperity returns, and the elasticity of the Revenue will return with it, that the proceeds of the year may suffice without our having recourse to any such power as that we now ask for. Of course we cannot calculate upon that. We must estimate the Revenue according to the best of our judgment, and we must endeavour to provide this money in case the expenditure should all fall within the year; and the estimate of Revenue we propose should not be exceeded.

Well, Sir, suppose the Committee accept our proposition, this will be the result—We have the surplus of £922,000 on the figures I have already mentioned. Then we should receive by the additional Income Tax, £1,800,000; and if we were to issue Bonds for the amount proposed, we should receive £1,000,000. Thus there would be available £3,722,000, leaving a surplus of £722,000 to strengthen the Exchequer balances. On the other hand, if no Exchequer Bonds were issued, we should only have £1,800,000 in addition to our surplus, or £2,722,000 available to meet the expenditure, and there would consequently be a deficit of £278,000.

I think, perhaps, it would be advisable to see whether the proposition I have made is one which ought to be supported on general grounds. Now, taking the total cost of the war at £5,000,000, let us see how far we have met it out of taxation. We raised by taxation on the income of 1867-8, though it was not all collected within the year 1867-8, the sum of £1,450,000. We now propose to provide by taxation on the income of this year £2,900,000. Thus, we have provided by taxation within two years £4,350,000 out of the total of £5,000,000, throwing upon the balances in the Exchequer—that is, the accumulations of general Revenue—the difference—namely, £650,000. Well, I think it cannot be said that we are throwing upon the future the burden of this expedition. Questions, of course, may be raised, and probably will be raised, as to the desirability of meeting the whole of this expenditure out of direct taxation; but I think the arguments I have used appear to recommend themselves to the Committee—that it is not expedient, when the expenditure to be provided for is of so temporary a character, to disturb trade by increasing taxation on articles of consumption. These, Sir, are the propositions I have to make, and ask the assent of the House to.

There is a passage in one of the minor poets of antiquity in which he laments over his unhappy fate in having been born in such late times that the whole poetic harvest had been gathered in by the great masters of song, and that there were few flowers left for him to cull. I do not think the time has come yet for a Chancellor of the Exchequer to take up that strain. I do not think he need say there is nothing in our financial system that requires further reform. "Much has been done, but more remains to do." If there are not many flowers to cull, there are many noxious weeds in our fiscal system still to be rooted up; there are blots in that system which have often attracted the attention of the House, and which have been much urged upon successive Chancellors of the Exchequer; and there are other blots in our system which have not, in my opinion, yet received sufficient attention. Holding these views I hope I shall receive some sympathy at the hands of the Committee if, on this occasion, the exigencies of fate have obliged me to propose a most unambitious Budget. I felt that the circumstances of the time were such that it would be out of place to propose extensive changes in our fiscal system, and, therefore, it has been my lot to propose a very matter-of-fact Budget. I think the Committee will, at all events, agree that it is a very simple and intelligible proposition; and I feel that I can recommend it to the Committee as being financially sound, and I think I am justified in saying that we propose to provide for the extraordinary expenses entailed upon us in a manner which will not be unduly oppressive to the people of this country. The right hon. Gentleman concluded by proposing the usual formal Resolution.

Motion made, and Question proposed,

"That, towards raising the Supply granted to Her Majesty, the Duty of Customs now charged on Tea shall continue to be levied and charged on and after the 1st day of August 1868 until the 1st day of August 1869, on the importation thereof into Great Britain and Ireland: viz.

| | | *s.* | *d.* |
|---|---|---|---|
| Tea . . . . | the lb. | 0 | 6." |

MR. GLADSTONE: I congratulate the right hon. Gentleman upon this—that if he has been in some respects, as I think, unfortunate in the circumstances under which he has acceded to the duties of an arduous office, he has laid before us, with great pains and ability, a very full statement of all information which, as he thought, would tend to improve our means of judgment upon the important question he has submitted to the Committee. I need not say that I do not propose to enter at large upon the matter contained in the right hon. Gentleman's speech; but the occasion is one of importance, and one on which, taking such a view as I am able to take of public affairs, it is right there should be a special meaning attached to the assent which I, for one, shall be quite prepared to give to the Resolution of the right hon. Gentleman with reference to our freedom of future action upon the state of affairs he has made known to us. I quite agree with the right hon. Gentleman that the retrospect of the Revenue of the country, all things considered, is not unsatisfactory. I think that the augmentation which he has stated to have taken place in the Revenue, under the circumstances of the year, is quite as much as, or more than, we were entitled to expect. I am also glad to find that the right hon. Gentleman is well satisfied with the result of the transfer of the Dog Tax from the head of assessed taxes to that of Excise; and no doubt there is very considerable force in the argument he has urged in favour of other similar transfers, though, perhaps, some points may likewise be urged on the other side of the account. I must also make this admission to the right hon. Gentleman—that I think, if we are to assume the charge of the country to remain as he has stated it, the manner in which he proposes to meet that charge as he has described it is simple and sound. I have nothing to object to it. Viewing the exigency with which he has to contend, I think he is eminently right in not attempting to disturb the trade of the country by any change in indirect taxation. I think, likewise, that the amount of the provision he proposes with reference to the account between ourselves and what we call posterity is a fair division of the charge. That which weighs upon my mind is a point of a different character. It is one which the right hon. Gentleman has by no means kept out of view, for nothing, I think, could be more fair and ingenuous than his statement. But it is a point, at the same time, of the greatest importance, and one which, I doubt, whether the House or the country have at present taken into view. [Mr. WHITE: Hear, hear!] The impression which prevails out-of-doors, and which, I think, prevails extensively among Members of this House, and certainly prevails among persons generally well informed, is that we were to-day to be called on to make an addition to the taxation of the country in consequence of the Abyssinian War. Now, Sir, that impression is an erroneous one.

We are, indeed, called on to make an addition to the taxation of the country; but not in consequence of the Abyssinian War. It is in consequence of the additions made, and proposed to be made, to the permanent expenditure of the country; and that is the very grave fact which induces me to rise for the purpose of at least stating it. I will give the House the few particulars which are necessary to make my statement intelligible, reserving to myself what I may call the freedom—but the freedom to perform a duty—of considering the position of the accounts; because, although no grave question may arise on the nature of the provision proposed by the right hon. Gentleman if that provision be really necessary, the really grave question which arises is this—Whether we are embarked on a safe and prudent course as respects the general expenditure of the country? As I have said, it is not the war in Abyssinia which requires the augmentation of the Income Tax that is now proposed. With regard to the augmentation of the Income Tax made in November last, it was certainly due to that war; because, whatever might have been in the spring of last year the amount of our available surplus, the war in Abyssinia was not then contemplated; it was a sudden and unforeseen necessity, arising when the financial year was already far advanced; and it was not possible — at least, it would not have been equitable —to expect that the Government should have been in possession of resources to enable them to meet the charges for the Abyssinian Expedition. But I wish now to point out — taking the figures of the right hon. Gentleman—what I think is necessary in order to support the statement that I have made. I am bound to observe that it sounds to me as if the right hon. Gentleman had not been over liberal, to say the very least, in the provision that he proposes to make for the war in Abyssinia. I must own that I think him sanguine in that respect. He has taken the charge for five months from the 1st of January last, and beyond those five months he has taken nothing whatever. He assumes that on the 31st of May his troops will have been re-landed in India, his transports dismissed, his establishments reduced, and that he will have a clear stage for what follows that date; or, if I understood him aright, as far as any qualifications were to be made to that statement, a sufficient set-off would be found in the credits for supplies to be returned in the hands of the East Indian Government. Sir, the Government are so superior to us in their means of forming a judgment that I now go no further than to say I own that, in the statement of the right hon. Gentleman, I am afraid he has not made a very liberal provision for the remaining expenses of the Expedition. But I take his figures as he has given them; and the state of the case is this—that the right hon. Gentleman shows us a deficit to be provided for of £2,078,000 on the expenditure of the year 1868-9. Now, my proposition, which is a very simple one, is this, that if our permanent expenditure—that is to say, our expenditure on the ordinary heads of charge—had been less than it is by £2,078,000, the right hon. Gentleman would not have been required to make any call on the country for any new tax whatever. And although I entirely approve the nature of the call which the right hon. Gentleman has made, if the necessity for it be established, yet I think we must carefully distinguish between an appropriate mode of finding the Ways and Means and the propriety of the charge itself, which the Ways and Means are intended to meet. Now, how do we stand? As I have said, there are £2,078,000 to be provided. This, Sir, is the very simple comparison that I propose to make. I propose to compare the Estimates as they are now on the table with the Estimates which were on the table two years ago. That comparison is one which, at least, is fair to Her Majesty's Government, because, undoubtedly, they have been unfortunate in the number of Supplemental Estimates which it has been either their fault or their misfortune—I do not say it has been their fault—to submit; and they have been still more unfortunate in the Excesses—which appear to have become almost normal—of expenditure over and above the sums voted with which they have had to come before the House of Commons. Therefore, the comparison I am about to make, if it be unfair, is not unfair to Her Majesty's Government. I will not trouble the Committee with any question as to the Debt and permanent charge of the country; but will confine myself to what may be called the variable or optional charges—namely, such as are voted in Supply; and I take the original Estimates of the years 1866-7, 1867-8, and 1868-9. The Estimates of 1866-7 amounted to £38,165,000; those for

1867-8 to £39,733,000; and those for 1868-9 are £41,863,000. *Primâ facie,* there is an increase of £3,700,000; but the right hon. Gentleman has observed with perfect propriety that there are deductions to be made from that increase, because some considerable amounts now appear on both sides of the account which formerly appeared on neither side. Sir, I have endeavoured, and with the assistance of my hon. Friend (Mr. Childers), to ascertain, as well as we can, what are the items that fall within that class, so as to learn how much of this formidable amount of £3,700,000 is merely a nominal and not a real increase of charge. As far as we are able to arrive at a conclusion—and I am very confident that we are not very far wrong in it, though I by no means submit it as a conclusion positively and minutely exact—the reduced and corrected Estimates of this year, making allowance for those charges, may be said to stand for comparison with the Estimates of two years ago, not at £41,863,000, but at about £41,000,000 in round numbers.

THE CHANCELLOR OF THE EXCHEQUER: How much have you taken off?

MR. GLADSTONE: £860,000,

THE CHANCELLOR OF THE EXCHEQUER: The deductions should be more than that.

MR. GLADSTONE: Very well, there are some points which might be made matter of detailed argument; but the margin of dispute between us is not very large, and even if I accept the data of the right hon. Gentleman it will not in the least interfere with my proposition. Therefore, I have to compare £41,000,000 with the sum of £38,165,000, at which the Estimates stood in 1866-7; and I show an addition to the permanent charge of the country, within what has not yet been the full financial year, of £2,840,000. Well as the whole of this Abyssinian deficit amounts to £2,078,000, the appearance of the matter is this—that had we continued at the point of expenditure where we were two years ago—and I, for one, have never concealed my opinion that that was a very high point—instead of the right hon. Gentleman being now obliged to condole with himself, and my being obliged to condole with him on the nature of the appeal that he makes to us, he would have appeared before us, notwithstanding the financial crisis, notwithstanding the bad harvest and the comparatively unfavourable state of the Revenue, with a clear surplus of £800,000. That is a matter which, on the simple statement of it, I own I think requires grave reflection. The state of things for the last two years has been somewhat peculiar. During the Session of 1866 it would have been most invidious and offensive if even Independent Members of the House—still more if the Members of an out-going Government—had cavilled too sharply at such an augmentation as was then made to the Estimates of the year. During the Session of 1867 it was very natural that the absorbing impatience and anxiety of the House to close the subject of Parliamentary Reform, at least as far as regards the most populous of the three kingdoms and the most difficult portions of the question, placed in abeyance almost entirely the function of an Opposition with respect to criticism on financial proposals. The case having been so, I do not at this moment, and without further examination, mean to enter into the question whether what was done in former years in this respect is matter of blame or not; but I do mean to reserve to myself the power of considering whether, as I have said, the course in which we have embarked is a safe and prudent one. An augmentation not far short of £3,000,000 sterling to the permanent charge of the country, when it was already high, brings that permanent charge I think I may say to a higher point than in time of peace it ever has attained. I do not think that, under the anxieties of the years 1859, 1860, and 1861—if we strike off the distinct war charges of that period—our permanent, normal, and regular expenditure was nearly as high as that which the right hon. Gentleman calls upon us to sanction in the arrangements of the present year. These arrangements are still to a great extent in our power. And I must say, without presuming to give a confident opinion—for it would be most presumptuous in me, as an individual, to do so—that I do hope the House will examine for themselves the statement that I have made—namely, that this augmentation of Income Tax which is now demanded from the people is not a demand made for the purpose of meeting the Abyssinian war ["Oh!"]; but is a demand made for the purpose of meeting an augmentation of the permanent charge upon the country. And if this allegation is not shaken—if the augmentation is, as I should put it, £2,840,000, or, as the right hon. Gentleman would put it, £2,700,000—for I will not quarrel with him as to the difference—that is more than enough to make good my allegation that it is the increase of permanent charge which requires us to make good this new demand upon the country. And if that be so, I will not go further than to say that it will be our duty very carefully to consider whether this augmentation of permanent charge is really necessary; whether we can justify it in the face of the country; or whether it may not be our duty to make some effort for bringing the expenditure of the country—I mean the permanent and ordinary expenditure—within more moderate bounds. I raise no objection, Sir, to the Motion of the right hon. Gentleman.

Colonel SYKES said, that as the right hon. Gentleman had referred to his remarks the other night, he wished to say now, that if the Chairman of the Committee had not ruled him to be out of order, he was prepared to prove the statement he had made, that the Civil Service Estimates had been steadily and rapidly increasing. In the matter of salaries alone there was a net increase of £48,000. Other items were in proportion, and the result was, that the net increase in all the Departments amounted to £1,207,476. His right hon. Friend appeared to think that he had not deducted those sums which now appeared on both sides of the Estimates for the first time; but he begged to say that he was not in the habit of dealing so loosely with figures; and he found that the actual increase of permanent charge, after those deductions, amounted to £431,000. The contrast between the military and naval expenditure of the present and former financial years was not less striking. The Navy Estimates, as compared with those of two years ago, showed a net increase of £201,037, and those for the Army of £203,200. In the French Navy budget for 1868-9 there was an increase of £607,451; nevertheless, the total charge was only £6,529,510; while the charge for the British Navy was £11,177,290. The charge for the French Army was increased this year by £1,342,532; but the whole cost for 1,200,000 men, including reserves, was £15,267,782; and the British charge was £15,455,400 for 136,650 men and officers, exclusive of militia, reserves, &c. The same contrast is exhibited in the total expenditure of France for the year, which is £65,111,367; and that of England £69,600,218, besides £2,166,023 for the Abyssinian Expedition; in all £71,766,241. This increase in expenditure was going on, and he believed it would continue to go on, unless the House felt that it was dangerous to their popularity in the country, and Members attended to the duty which he was sorry to say so many of them now neglected, to guard the public purse. Year by year the taxation was increasing, and the rate of pauperism was keeping pace with it. The right hon. Gentleman the Chancellor of the Exchequer estimated that the Abyssinian Expedition would be over and the troops recalled before May. He was afraid the right hon. Gentleman had not taken into account the fact that the south-western monsoon blew up the Red Sea from the month of May until September. Including steamers, there were now employed as transports 261 vessels. Did the right hon. Gentleman suppose that these could re-embark not only the soldiers of the Expedition but all the stores by the end of May? It had taken the troops three months to reach the district into which they had now advanced, and he expected that it would take them two months to march back again. Then there was the accumulated transport agency, including 8,000 mules and forty-five elephants carrying the guns. It was much more likely that the last of the Expedition would leave in August than in May; and he could not bring himself to believe that the "if" of the right hon. Gentleman rested upon any very substantial basis. The cost of transport alone, independent of coals, was £414,000 a month; and supposing that the Expedition lasted a twelvemonth the expense in this direction would be £4,968,000, an expense which the right hon. Gentleman might regard as almost certain; for he could scarcely expect that the duties of this service would be completed by that time. He thought, under the circumstances, that it was impossible for the Civil Service of the year to be performed for the Estimates laid down by the Chancellor of the Exchequer.

Mr. T. BARING: I hope the House will indulge me for a few minutes, in order to express my opinion on this question; and I think it the more my duty to do so, for unfortunately my opinions are in opposition to those who have already addressed the House, and certainly they are not in accordance with what is represented to be the general and popular feeling. The proposition of the right hon. Gentleman is, that the whole charge for the

Abyssinian War shall be placed upon income and property. Now, the right hon. Gentleman has truly said that it requires no ingenuity, that the most obtuse Chancellor of the Exchequer would find it easy to come down to this House, and by the imposition of another penny or twopence meet every exigency that may arise. But, Sir, is that just to the country, and is it likely to contribute to the permanent prosperity of the country? The right hon. Gentleman says that he wishes to avoid any disturbance of trade. Well, Sir, but this argument will apply at any time; at any moment, in any event, we may be told that it would be unwise to disturb trade, and that, therefore, an addition to the Income Tax must be imposed. We see the practice growing; for the precedent is seductive to a Government that is guided by popular feeling, but from it I augur the greatest misfortunes to this country. The precedent will not be neglected in after times. The right hon. Gentleman the Member for South Lancashire thinks that the war will not come to an end so soon as the Chancellor of the Exchequer supposes. But if it is continued, shall we not have more expenditure, another want of money, another increase of direct taxation, under the plea that we must not disturb the trade and commerce of the country? Let me say that I doubt whether, if we were to impose indirect taxation, the disturbance to the trade of the country would be so great as the right hon. Gentleman assumes. If you were to propose an additional 5 per cent on the Customs duties, it would raise the sum of £1,500,000, and it would not involve that injury to trade which he imagines. There would be great complaints, no doubt; but if, on the other hand, you are to adopt systematically the proposals of the right hon. Gentleman; if the Income Tax is to meet every want which a popular Government may devise, you will soon be landed in an expenditure to which the present amount is a trifle. It would, indeed, be the greatest disgrace to the present generation, if they were to propose to meet the wants and necessities of this war, which, in my opinion, has been created by previous diplomatic errors, by throwing the burden upon posterity. Having got into the scrape, it would be dishonest in us to throw the taxation for it upon future generations. But what is the right hon. Gentleman about to do? He says, "I do not, however, merely propose to issue £1,000,000 of Exchequer Bonds which we shall pay off at the end of the year." But has not the right hon. Gentleman heard of former Exchequer Bonds borrowed with the same intention, but which have never been met, and which are renewed from year to year? And will the right hon. Gentleman, who is now no doubt sincere in his belief, give us any guarantee that he will not renew these Bonds next year? The whole thing comes to this—Is the Chancellor of the Exchequer to have his task made easy for him by being allowed another turn at the Income Tax screw whenever he is in difficulties; or is every class in the country to be made to pay their share in this expensive war?

Mr. AYTOUN said, he wished to call the attention of the right hon. Gentleman to one particular point. The right hon. Gentleman was about to meet a portion of the expenditure by the issue of Exchequer Bonds, which, whenever it might be paid, was still to be borrowed in the same way as the permanent Debt. Now, the right hon. Gentleman was aware that last year a charge was made upon the Consolidated Fund, which, however it might be acquired, was simply the addition of an annuity towards the extinction of the National Debt. He alluded to the Act known as the Terminable Annuities Act, by which the debt due to the Savings Banks was supposed to be wiped off; but the only result of it was that an annuity was charged upon the Consolidated Fund, out of the proceeds of which there was paid every year the sums necessary to meet the demands of the Savings Banks, and the remainder went to extinguish Consols. Now, when the right hon. Gentleman asked for power to issue Exchequer Bonds while this annuity was to be met, this was really to proceed upon the plan condemned by every financier—the paying off debt with borrowed money. He hoped, therefore, the right hon. Gentleman would tell him whether, in his opinion, it was a sound principle to go on paying off debt when they had to borrow money for an expensive war; or, whether he did not think the necessities of the State did not require them for the present to suspend the operation of the Terminable Annuities Act?

Sir WILLIAM STIRLING-MAXWELL said, he wished to complain of a grievance which arose from an Act passed during last Session; but, before doing so, desired to congratulate the right hon. Gentleman on the manner in which he had performed a duty which had devolved upon him under circumstances in some degree depressing. The grievance to which he alluded arose under the tax imposed upon sheep dogs, a tax which bore very heavily upon some of the poorer inhabitants of the county he represented (Perthshire). Several petitions had been presented against this tax, which, although a small matter to the House, was no inconsiderable matter to the persons who had to pay it. Two of these dogs were required by every shepherd, and, as they were of little use to him until they were eighteen months old, it would be seen that the tax was not a light one. It had been imposed for the first time at a period when the business in which these men were engaged was in a most depressed state. He had been a warm supporter of the tax on general grounds, and it had proved very successful; but in that success he saw a good reason why the slight remission he asked for should not be made. He suggested that shepherds might be relieved from the dog tax on producing, in each case, a certificate under the hand of a justice of the peace. To use the metaphor of the Chancellor of the Exchequer, he hoped the right hon. Gentleman would pull up this fiscal weed, especially as it was one of his own planting.

Mr. HUBBARD said, he believed the criticisms to which the Chancellor of the Exchequer's statement had been subjected were founded on erroneous views of the case. His right hon. Friend the Member for South Lancashire had spoken of the demand made for additional taxation as being occasioned not by the Abyssinian War, but by an exceptional and unnecessary increase of ordinary expenditure; but before the Government was condemned on account of this, it was necessary to inquire whether that increase of ordinary expenditure could have been avoided. Now, he had heard from all sides, without contradiction, that the late Government had left the defences of the country at an improperly low ebb, so that the present Government was under the necessity of raising the expenditure to correct the error of their predecessors. And if we had spent less during the past two years on the Army and Navy than we had by £3,000,000, should we have been in possession of that sum as a surplus? He apprehended not. A reduction in our expenditure would have entailed a reduction in our taxation. The Abyssinian demand would, in that case, have come upon the Committee in the shape of an unexpected and additional charge of £4,000,000 or £5,000,000, and extraordinary means would have been resorted to to meet it. His hon. Friend the Member for Huntingdon (Mr. Baring) had advocated an addition of 5 per cent to the Customs duties on all articles, large or small, as a means of raising Revenue; but he entirely disapproved of such a suggestion. It would be an inconvenience to everybody, it would disturb our arrangements with every country with which we were at present engaged in trade, and it would go a great way towards disturbing that simplification of our Customs duties which it was so desirable to retain. With regard to the method of raising the Revenue which had been adopted by the Chancellor of the Exchequer, he regretted that the Income Tax was still left in a condition so discreditable to the sagacity of the governors of the country, and so ill-fitted for becoming a permanent means of Revenue. It was not yet a permanent means of Revenue—it had to be levied from year to year; but he hoped at no distant date attention would be directed to the subject, and that it would be fitted to become a permanent source of Revenue. He noticed that neither the Chancellor of the Exchequer nor the right hon. Member for South Lancashire had alluded to the operation of the Terminable Annuities scheme, which was at present absorbing an extra £1,000,000 of taxation; probably the reflections it gave rise to were not altogether palatable to them, for if they had followed the old-fashioned course of raising sufficient Revenue for the year and applying the surplus as it rose to the reduction of the National Debt, this extra £1,000,000 would have been available to meet the Abyssinian Expedition; the Chancellor of the Exchequer's £900,000 surplus would in that case have been £1,900,000, and have diminished to that extent the strain upon the Income Tax. Upon the whole, however, he was bound to say that, considering the circumstances of the times and the difficulties under which the Government took office, with the Abyssinian Expedition before them—not the result of their own management, be it remembered—the Chancellor of the Exchequer deserved the thanks of the Committee for the very satisfactory proposals he had made.

Mr. WHITE said, it would seem, from what fell from the hon. Member for Huntingdon (Mr. T. Baring), that the poorer classes of this country did not pay their due share of taxation. But if he should have the honour to be returned to a Reformed Parliament, he hoped to have the opportunity of showing, by the appointment of a Select Committee on the Incidence of Taxation—hitherto refused him—that the amount paid by the poorer classes was larger in proportion than that paid by the rich. The shadow of a householder Parliament was already upon them, and any attempt to increase indirect taxation would have to meet with no ordinary opposition in that House. A very intelligent constituent, who was largely engaged in trade, had given him some figures showing how much the poor man paid the Government out of every 1*s.* he disbursed in articles of ordinary domestic consumption. If 1*s.* were laid out in tea, the average cost of which was 2*s.* 9*d.* per lb., 1¾*d.* went to the Government as duty. Of coffee at 1*s.* 6*d.* a lb. the Government got 1¼*d.* out of every 1*s.*; and taking sugar at 4½*d.* per lb., 3¼*d.* in every 1*s.* accrued to the Government. On every 1*s.* spent on currants 3*d.*, and on raisins 1¾*d.* were exacted by the Government in Customs duties; and to summarize the figures, they proved that of the money expended by the humbler classes in sugar, 27½ per cent was paid to the Government in taxes; 15 per cent upon tea, 10 per cent upon coffee, 25 per cent upon currants, and 15 per cent upon raisins. In addition to this, the duties paid upon spirits and tobacco were absolutely enormous; but for obvious reasons no one objected to those articles being largely taxed. It must not be forgotten, further, that the retailer charged his profit upon the duties paid, which would make an additional 10 per cent exacted from the consumer. He regretted that the hon. Member for Buckingham (Mr. Hubbard) had objected to the statement of the right hon. Gentleman the Member for South Lancashire, that the increase of Income Tax was due, not to to the Abyssinian war, but to an increase in the expenditure, because it was clear to his mind, as he told the House last November, that had the expenditure of the country not been unduly augmented, the necessity of any increase in the direct taxation would not have arisen. The duty of the Opposition in regard to this matter was clear. Though he had not spoken on this subject since the November sitting, he had conveyed to the right hon. Gentleman the Member for South Lancashire his opinion of the duty of Opposition Leaders—namely, not to abdicate their functions, but to strive to curtail the present excessive public expenditure. The right hon. Gentleman the First Lord of the Treasury had not succeeded with all his teaching to educate his party in economy, although when in Opposition he spoke strongly against the "swollen and bloated armaments" of the country; and, therefore, if his right hon. Friend the Member for South Lancashire had concluded with a Motion of Want of Confidence in the Government on the ground of excessive expenditure during the last two years, he should have felt bound to support such a Motion. During the last two years the whole tone of society had been in the direction of economy; but the Government, in contemptuous disregard of the condition of the country and of public opinion, had gone on unnecessarily increasing the public expenditure.

Mr. GREENE said, he was of opinion that a very considerable saving might be effected in the national expenditure; but he did not believe that would be accomplished until political strife was laid aside and the financial affairs of the nation were considered in a calm and deliberate manner. He had never heard the question fairly brought before the House during the long period the Liberal party were in power. In fact, during their tenure of office, particularly during the time of Lord Palmerston's Government, the expenditure had increased several millions a year. Speaking as a man of business, he could see many ways of collecting the taxes at a less cost, and also how taxation might be increased and yet be less burdensome than now. A large saving might be effected on the cost of collecting the national Revenues. But so long as they were engaged in party conflicts they could never settle down to the far more important business of taxation. Under all the circumstances he thought that the mode in which the Chancellor of the Exchequer had brought the Budget before them was highly satisfactory. The country had had two bad harvests—last year and the year preceding. There was at present a prospect of a good harvest; and if that should turn out to be the case, the price of corn would fall, and there would again be an increase in the consumption of articles of Excise.

Mr. CHILDERS said, that the statement of the right hon. Gentleman the Chancellor of the Exchequer was so clear and conclusive, in what he did say, that he only rose to give a few figures as to one part of the subject which he had passed over. For the first time for many years there was a deficit last year, which was succeeded by another and a heavier one this year. Last year, omitting the Abyssinian expenditure and the proceeds of the taxes raised to defray it, the Revenue was £69,223,000, and the Expenditure £69,236,000, leaving a deficit of £13,000, and this year, making the same omissions, the Revenue was estimated at £70,280,000, and the Expenditure at £70,428,000, the result being a deficit of £148,000. Besides these the right hon. Gentleman the Chancellor of the Exchequer estimated the Expenses of the Expedition to Abyssinia at £5,000,000, and calculated that the 1*d.* additional Income Tax last year, and the 2*d.* this, would yield £4,350,000. The position of their finances, therefore, was that out of the balances in the Exchequer they were to pay £650,000 for Abyssinia, besides deficits on ordinary expenditure for the last two years of £13,000 and £148,500. During each of the three previous years there had been a considerable surplus. In the year 1864-5 the surplus was £3,851,000; in 1865-6 it was £1,897,000; and in 1866-7, £2,654,000. These were the last three years of the financial administration of the late Government, and they gave an average surplus of £2,800,000 a year. The two years of the administration of the present Government gave deficits of £13,000 and £148,500. His right hon. Friend the Member for South Lancashire had pointed out that these deficits were due to the enormous increase of the expenditure of the country. The policy of the late Government had been, to the best of their information, to estimate what would be necessary for the requirements of the year, and then to keep down the expenditure within the limits which had thus been fixed. The result of that policy was, that in 1864-5 the Estimate of expenditure upon which his right hon. Friend's Budget was based was £38,560,000 for Supply Services. The actual issues were £38,190,000; so that the issues were less than the original Estimate by £370,000. In the following year, in which there was a large Supplementary Estimate, the original Estimate was £37,899,000, and the issues were £37,797,000; showing that under the most difficult circumstances the Government expended during the year £92,000 less than the original Estimate. But what had been the state of affairs during the last two years in which the present Government had administered the finances of the country? In 1866-7 the original Estimate of expenditure was £38,165,000, and the issues of the year were £38,834,000; so that the issues exceeded the original Estimate by £669,000. The original Estimate for the year 1867-8, including the Vote for Abyssinia, was £42,234,000, and the issues were £42,771,000; the issues being £537,000 in excess of the original Estimate. What did these figures show? They showed that the policy of the late Government, of which, as deficient in economy, many complaints had been made, was to keep well within the original Estimate; while the practice of the present Government had been to spend very much more than their original Estimate. He desired to add that he was able from a careful analysis of figures strongly to corroborate the statement of his right hon. Friend the Member for South Lancashire, that, after making every possible reduction, the permanent expenditure of the country was £2,700,000 more than it was two years ago. Upon the fortification question he had ventured to interrupt his right hon. Friend opposite, who, he was sorry, had not before him the figures bearing upon that subject; for he believed it had been the universal practice of Chancellors of the Exchequer during many years past, after stating the surplus or deficiency, not taking into account the fortification expenditure, afterwards to state the matter over again, including the fortification expenditure. The right hon. Gentleman the Member for South Lancashire had adopted this course during the last three years successively, and he had been able nevertheless to shew a large surplus each year. And if his right hon. Friend opposite had that evening followed a similar course, and had repeated the figures, including the fortification expenses, the results which would then have become apparent would have made the House very sensible of the great change which had come over our finances. He hoped that the House, having now for many years left the discussion of the Estimates to small Committees of Supply, consisting of twenty, thirty, or forty Members, now that they were landed in an annual deficit of £100,000 or £200,000, instead of having a surplus of £2,800,000, would give some assistance to those who were anxious to keep down the expenditure.

Sir STAFFORD NORTHCOTE: From some observations which have been made in the course of this debate, it would appear that the statement of my right hon. Friend the Chancellor of the Exchequer with regard to the Abyssinian Expedition has been a little misunderstood. My right hon. Friend gave his calculation as to the probable amount of expenditure, supposing the expedition were to terminate by the end of May. He said he took that expenditure at the rate of £600,000 a month for five months, beginning with January and ending with May; and he mentioned among the items of which this was made up, one of £400,000 for transport. Upon this my hon. and gallant Friend the Member for Aberdeen (Colonel Sykes) assuming that the expedition would not terminate in May, says, "You will have this item of £400,000 a month for transport running on," and he calculated what that would come to in a year. But it should be understood that the mode in which the Estimate had been made was this—we had received information from Bombay upon which that statement was founded; and at that particular time we had a very large fleet of transports plying between Bombay and the Red Sea, and which vessels were required at that moment. The cost of that transport was, as well as we could reckon it, £400,000 a month; but it never was believed that the cost of transport would be permanent at £400,000 a month. It happened that the vessels which had been taken up were now to a large extent discharged; and if we had to employ means to fetch away the men and what remained of the supplies, we could do it at a much smaller expenditure than £400,000 a month. But in order to make the matter more safe, we thought it desirable that the cost of transport should be estimated at the same for the five months; and we fully believed that the expenditure would be covered by the Vote which we proposed to take. The quantity of stores sent to Abyssinia has been extremely large, owing to the great uncertainty in which we stood as to the probable duration of the Expedition, and also as to what would be necessary with the prospect of the rainy season in view. But there is now in the country a supply that would suffice for the whole force till the month of November, so that no more supplies will be required. When the time comes for the return of the troops, we hope that means may be found for disposing of a considerable portion both of these supplies and of the baggage animals, especially the mules, upon favourable terms—among others, to the planters in the Mauritius, perhaps; so that it will not be necessary to employ anything like the amount of transport that was required to place the Expedition in the country. I believe we may say that the Estimate which has been taken is a very safe Estimate; and supposing, what we all hope, that the Expedition has terminated successfully in the early days of the present month, there is reason to believe with some confidence that the sum which has been taken will be found amply sufficient to cover the whole cost of the Expedition. I am very sorry that, in consequence of the interruption which has taken place in the Malta and Alexandria Cable, no later information has been received within the last few days. As far as our information extends, we have reason to hope that the whole object of the Expedition has before this time been attained.

Mr. LIDDELL said, he did not dispute the success which had attended the operation of the new dog tax, but that it had been attained partly at the expense of a very deserving body of men. The tax fell heavy upon shepherds' dogs, a result which was in direct antagonism to the principles which had always guided the House in legislating for the rural population, that of exempting animals employed in operations of husbandry. Cart-horses were exempted from taxation upon that principle; and could anybody say that a shepherd's dog was not equally indispensable in the performance of daily avocations upon the large grazing farms in the North of England? He thought that the tax upon shepherds' dogs was an improper tax; and on the proper occasion he should do his best to induce the Government to deal with the matter.

Mr. FAWCETT said, he thought a good case had been made out against taxing shepherds' dogs. He could not help thinking that the Financial Statement which they had heard was much more serious than they might at first suppose it to be. Put it as they liked, the fact was that the Chancellor of the Exchequer was going to borrow £1,000,000. He, indeed, said that it was to be a temporary loan; but were the finances in such a condition that they could see that next year they would be in a better position than they now were to pay off this temporary loan?

The whole hope of the Budget was that the Abyssinian Expedition would terminate by the end of May; but nine out of ten of the best informed men believed that this would not be so. If the Expedition should not be at an end by the time supposed, then the finances would be in a worse position next year than they were now, because there would then be an expenditure for which they had made no provision. Under these circumstances he thought that they were not justified in making the loan. The £1,000,000 would virtually be spent as a sinking fund. He objected to this principle when temporary annuities were proposed for the purpose of reducing the National Debt, because the system had the vice of the old sinking fund, that when the finances were in an unsatisfactory state they would have to borrow or increase taxation in order to reduce the Debt. He was as strongly as any man in favour of reducing the National Debt; but there was only one way of doing it, and that was the straightforward plan of getting a surplus by economy, and applying it immediately to cancel a certain amount of debt, or by granting terminable annuities instead of permanent annuities. He feared that the effect of the speech of the right hon. Member for South Lancashire would be a little marred by the vice of over-statement. The proposition which the right hon. Gentleman sought to prove was this, that the 2*d*. addition to the Income Tax was not caused by the Abyssinian Expedition, but by the increase of the ordinary expenditure; and this was not an absolutely correct statement. He would have greatly strengthened his proposition if he had said that the addition to the Income Tax was caused just as much by increased expenditure as by the Abyssinian Expedition. Increased expenditure was caused in two ways. The increase was due either to policy or to detail. No man was so much responsible for the policy of extravagant position as the late Lord Palmerston, who frightened England by the bugbear of foreign invasion. He deluded the country and induced it to enter upon a career of rivalry with foreign Powers, which were now ruining themselves by bloated and extravagant armaments. Europe was now so frightfully overarmed that her industry could not bear the burden, and the countries were being rapidly led to bankruptcy. The expenditure of our own country could be controlled by looking after details; and he thought that the most serious charge against the Government was that they had not been sufficiently careful as to the details of their expenditure. He did not say this in a spirit of party animosity, for those on his side of the House were not guiltless in the matter. Did Independent Members, when discussing Estimates, ever receive any assistance from the front Opposition Bench? Sometimes it was said that our large expenditure was not now of much consequence, because we had got rid of our worst taxes; but he did not admit this to be so. We had still some of the worst possible taxes, such as the taxes upon locomotion and the 1*s*. duty upon corn. He complained that they had been hurried into the Expedition to Abyssinia without the representatives of the country being consulted, involving them in pecuniary difficulties with India, and risk about which they knew nothing. He was bound to say that the speech of the noble Lord the Foreign Secretary at the end of last Session with respect to this question had completely misled him. He had considered that there was no risk of their being involved in a war without the House of Commons having an opportunity to express an opinion respecting the policy of that war. The expense and risk were great, without a prospect of glory, and it would be still more expensive, only they had unjustly and ungenerously cast a portion of the expense of the Expedition upon the people of India, who had no more to do with it than the people of Canada or Australia. He would far sooner that this country should bear an additional burden than that the people of India should be called upon to pay £300,000 or £400,000 for such an object; or that this country should incur a suspicion of putting on a dependency a charge which they knew they dare not cast upon the people of any of their colonies. He hoped the right hon. Member for South Lancashire would change the policy with regard to their rivalling European Powers, and join the Independent Members in protesting against every item of expense that could be looked upon as unnecessary.

Mr. M'LAREN submitted that the tax on shepherds' dogs was levied from the wrong person. The shepherd must keep two dogs—one to scatter the sheep and send them to the hill; the other to bring them back. The shepherd paid a tax of 5*s*. a year for each of these dogs, and that was very nearly equal to the house tax, where a man with a rental of £20 a year paid 15*s.* a year tax. The poor shepherd lived in a poor cottage, with a small income, and the tax should not be laid upon him who was the mere herd of the farmer to do a certain work, but upon the farmer himself; and the shepherd should receive the wages formerly paid to him without a deduction of 10*s.* for this tax.

Mr. DARBY GRIFFITH said, that a considerable portion of the deficit now to be provided for might be as fairly ascribed to the operations of the right hon. Member for South Lancashire in converting permanent into terminable annuities as to the other causes which had been assigned for it. The Budget of last year was a contemptible exhibition of the Chancellor of the Exchequer of that day; and as we had it on the authority of an ancient writer that imitators were a very servile race, the Chancellor of that day only said ditto to the right hon. Gentleman the Member for South Lancashire, and who he must still call the late Chancellor of the Exchequer. With regard to the proposed increase of the Income Tax, that particular species of taxation, though it might not press heavily on the richer classes, fell with peculiar severity upon small annuitants and clerks who had to keep up a respectable appearance upon less than £200 a year, while the well-paid mechanic escaped its incidence. The Chancellor of the Exchequer had naturally adopted the rough and ready mode which came first to his hand for raising the money he required; but, for his own part, he must reserve to himself the liberty of renewing the proposal he had made last year for the relief of incomes under £200 per annum from an impost extremely onerous to their possessors.

Mr. Alderman SALOMONS hoped that nothing should be done to disturb the arrangements of the financial scheme of last year for creating annuities that were to terminate in 1885. When they compared the price of our national funds with that of other parts of the world, they might feel well satisfied not to disturb existing arrangements for the reduction of the Debt, and which tended to place the credit of the country in that proud position. This year, besides the arrangements made for the payment of the annuities, they had laid out about £900,000 in the reduction of the National Debt; and he would suggest that when it was necessary to issue the Exchequer Bonds, for which credit would be taken in the Budget, it should be enacted that these Bonds should be paid off in preference to any other reduction of the Debt. Perhaps the Chancellor of the Exchequer would see fit to introduce a clause into his Bill for the purpose of carrying out such an arrangement.

Mr. GLADSTONE: I wish, Sir, to ask upon what day the Government propose to proceed with their financial measures? The business of the House next week will be of a rather absorbing character, as there will be the three Resolutions on the subject of the Irish Church to consider. I am of opinion that it will not be convenient to run the risk of interrupting the discussion on them. And perhaps the Government will be kind enough to tell us, whether Monday week or some similar day, will suit them for proceeding with their proposal relating to the Income Tax?

The CHANCELLOR of the EXCHEQUER, in reply, said: Sir, I do not know whether any other Member of the Committee desires to offer any observations upon the Financial Statement; but with regard to the Question just asked by the right hon. Gentleman opposite, I may at once say that we desire to put the Resolutions, which are necessary to carry out the proposals of the Government, for Monday week. I cannot, Sir, but feel gratified by the manner in which the proposals which I have had the honour to submit to the Committee have been generally received. My hon. Friend the Member for Huntingdon (Mr. Baring) has taken objection to our proposal to meet from the Income Tax the whole expenditure for the Abyssinian Expedition, and he said that that was a precedent which could be easily and frequently followed. He omitted, however to observe that I stated that we proposed to limit that charge to the Income Tax; on the ground that this was merely a temporary addition to our expenditure, and that, had we contemplated that this extraordinary expenditure would continue, we should have felt it our duty to propose an increase of duty on some article of general consumption. Therefore, the views which I put before the Committee certainly did not lead to the inference which my hon. Friend drew from them. Several hon. Members who have spoken have objected to the proposition to issue Exchequer Bonds, saying it is the creation of debt. I hold that the transaction is a perfectly legitimate one; because at the time we are issuing these Bonds we are actually providing, by the taxation of the year, the means of paying them off. The transaction appears to me much like that of a trader who, having goods in his possession the value of which he is not yet able to realize by sale, gives a bill for the amount in anticipation of it. An appeal has been made to me by the hon. Member for Perthshire with respect to the taxation of shepherds' dogs. I do not think that that is a matter between the Chancellor of the Exchequer and the shepherds, but one between the shepherds and their employers. I admit that it is hard upon the shepherd to have to pay 5*s.* for his dog; but I do not admit that it is hard for the shepherd's employer to have to do so. When we reduced the tax upon dogs to 5*s.* we thought no exemption was necessary. If you admit the principle of exemption it will lead to evasion, and, in this case, the tax would be evaded by nearly every dog being described as a shepherd's dog. Employers will lose nothing in the long run by paying the tax upon their shepherds' dogs, seeing that their complaint has hitherto been of the number of stray dogs which worried their flocks and destroyed their lambs; and I am sure that if the tax is continued, and the sheep farmers pay the tax for as many dogs as are needed, they will find their account in their relief from the predatory cases of which they have complained. In reply to a question from the hon. Member for Brighton, I have to state that the amount of the duty upon foreign corn imported into this country during the past year was £869,324, which at 1*s.* per quarter would give 17,986,000 quarters—a very serious amount to import from abroad in one year. I omitted to mention in my statement that on the 18th of March 1869, £600,000 of Exchequer Bonds will fall due, which I propose to take power to renew. In answer to the question of the hon. Member for Pontefract with regard to fortifications, I have to state that the sum raised for fortifications during the past year was £480,000, as against £500,000 during the previous year, and £530,000 has been expended during the past year. The hon. Member for Pontefract took occasion to felicitate himself and the Government of which he was a Member upon the large surplus which they were enabled to present to the House at the end of the three years of their administration, and he proceeded to contrast that surplus with the deficit which it is the unfortunate fate of the existing Government to have to present to the House on this occasion. I do not know whether the hon. Member thinks that the different positions of the two Governments in this respect is entirely owing to the prescience, sagacity, and good administration of those who preceded us in Office; but I think that those who are not inclined to be as partial as he is, will think that the rains and the sunshine of Heaven have had almost as much to do with the prosperity of which he boasts as the Government whose lines happily fell in such pleasant places. Impartial persons will also be willing to admit that it is no fault of the present Government that has occasioned the extraordinary monetary disarrangement that has lately caused such contraction of trade and of enterprizes of almost every kind, and which consequently places the finances of the country in a less favourable position than they previously were. The right hon. Gentleman the Member for South Lancashire—whose absence from his place at the present moment I regret—made a very severe attack upon the present Administration on account of the extravagance of their Estimates over those of previous years. That attack must have been directed against the Estimates of last year, for the Estimates of the present year are only slightly in excess of those of last year. I believe the observations of the right hon. Gentleman were pointed principally against the Military and Naval Estimates. I must observe, in reply to these observations, that the Estimates of last year were assented to by the House, and were assented to by the right hon. Gentleman himself. If the right hon. Gentleman held so strong an opinion as to the extravagance of those Estimates and as to the policy which led us to recommend those Estimates to the House, he, as a Member of this House, and as the Leader of a party which professes to have a majority in this House, was bound, in discharge of his duty, to have urged the House not to assent to them, instead of permitting a year to pass before he brings forward his objections to them. As the right hon. Gentleman did not think fit to make any objection to those Estimates at the time they were brought forward, I regard him as being as much responsible for the expenditure which he now denounces as extravagant as any Member of the Government. I can assure the right hon. Gentleman that, as long as he confines himself to making war upon profligate and unnecessary extravagances, he may always rely upon my support; but when he denounces what he characterizes as an unnecessary, a profligate, and an extravagant expenditure, I would remind him that there is an unwise parsimony as well as an unwise extravagance, and should the right hon. Gentleman think fit to renew his attack upon the Government upon this point, the question will arise, whether the Government of which he was so eminent a Member is not as much, if not more, responsible for this large expenditure as those who are now in Office? It is unfortunate that the right hon. Gentleman should have made these observations in the absence of the Secretary for War and the First Lord of the Admiralty; because, in all probability, they would have put questions to him which he would have found it very difficult to answer, and would have shown the Committee that the expenditure of which the right hon. Gentleman now complains was fully justified. I have said that there is an unwise parsimony as well as an unwise extravagance; and if, by an unwise parsimony, charges which ought to be borne in one year which are thrown on another or succeeding years, the result is that the tax payer of the future is saddled with a burden which ought to be undertaken by those of the present generation. When the present Government came into office did they find our troops armed with the best description of weapons? What was the first act of the Government of Lord Derby which led to an increase in the expenditure? Was it not to replace the rifles of the Army by Snider breech-loaders? Was not the last Government responsible for not incurring that expenditure before? But I will go further, and ask the right hon. Gentleman whether he was not a party to the construction of enormous fortifications for which not a single gun was provided? As the Minister chiefly responsible for the expenditure during Lord Palmerston's administration, he assented to the construction of these extensive fortifications, and how can he now object to the present Government providing guns for them? The administration of the Navy of course does not come within my province; but I can say that when we came into office the Navy was in such a state that we had the greatest difficulty to find reliefs for our ships. Who was responsible for that state of things, the Government of the right hon. Gentleman or the present Government? Either the whole system of our Navy administration was wrong, or else those who were in power had neglected to provide for that service that which it was their bounden duty to provide for it. I have not that detailed knowledge of this subject which would enable me to go further into it than I have already done; but if the right hon. Gentleman chooses to renew his attack upon the Administration of Lord Derby and upon the present Government on this point, it will be his duty to show that the Government of which he was a Member handed down the Navy to those who succeeded them in a fit state to protect the country, and left the Army, as regards ordnance and small weapons, in a state of efficiency. I propose to-night to move that the Chairman report Progress, and that on Monday week we take the Resolution I have laid before the House into consideration. If no objection is raised to my doing so I will move now that the Resolution to continue the duty of 6*d.* in the pound upon tea be considered now.

*Resolved,* That, towards raising the Supply granted to Her Majesty, the Duty of Customs now charged on Tea shall continue to be levied and charged on and after the 1st day of August 1868 until the 1st day of August 1869, on the importation thereof into Great Britain and Ireland: viz.

| | | *s.* | *d.* |
|---|---|---|---|
| Tea . . . . | the lb. | 0 | 6. |

House *resumed.*

Resolution to be reported *To-morrow;*

Committee to sit again *To-morrow.*

## ECCLESIASTICAL COMMISSIONERS ORDERS IN COUNCIL BILL—[*Lords.*]

[BILL 69.] COMMITTEE.

Order for Committee read.

MR. GATHORNE HARDY, in rising to move that the House resolve itself into Committee on this Bill, said that the object of the Bill was to give validity to certain Orders in Council relative to the Ecclesiastical Commissioners. Since 1852 eighteen Orders in Council had been made, and those Orders had been submitted to the Law Officers of the Crown, and had gone through the same process as the two which had recently been pronounced invalid by the Judicial Committee of the Privy Council. Under those Orders great changes had been effected, sales of estates had been made, and the position of persons had been altered; and it seemed to him to be only just that Orders, which were not objected to at the time of their being made should not now be challenged. If any persons had felt themselves aggrieved through those Orders, those Orders might have been appealed against at the time of their being issued. The Judicial Committee of the Privy Council had not stated the reasons which had induced them to consider the Orders recently before them as invalid, and as far as his knowledge went, he did not understand the objections were of that character as necessarily to lead to the impression that the Orders were in themselves improper or unreasonable. He had received a letter from the Dean and Chapter of Norwich urging on him to remove the dead lock which the decision of the Privy Council had created. One of the Orders before the Privy Council related to the Dean and Chapter. They stated that they were favourable to it, and that they were ready to submit to it, and that it would, in their opinion, tend to the benefit of the Chapter and the Church alike. It certainly appeared to him that there ought to be some legislation on the subject, because the position of the Ecclesiastical Commissioners had become, to a certain extent, untenable, inasmuch as they could not properly define their position with regard to capitular bodies, or ascertain the course they ought to pursue. They were very desirous that legislation should take place; and he could certainly see no injustice in proposing, as was done by the Bill, that Orders in Council, issued under the Law, and with the advice of the Law Officers of the Crown, should be rendered valid.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Gathorne Hardy.*)

Mr. BENTINCK said, he had placed an Amendment on the Paper, that the House should resolve itself into Committee that day six months, not with a view to defeating the Bill, but for the purpose of eliciting a full discussion. The Orders in Council which the Bill proposed to render valid were nothing but Acts of Parliament passed without the Parliamentary discussion to which those Acts were entitled. Not the least objection to the proposed legislation was that it would legalize all the abuses of the old system. In old times the Deans and Chapters systematically neglected the trusts reposed in them, and, thinking only of themselves, put the whole of the money raised under the trusts into their own pockets. Now, the Ecclesiastical Commissioners wanted to give such powers to the Deans and Chapters as would enable them to restore that undesirable state of things; the Commissioners desired to grant certain lands to the Deans and Chapters without taking any guarantee that the proceeds would be rightly dispensed. The grammar schools of Carlisle were entirely dependent on voluntary contributions; whereas he contended that, in accordance with the trusts affecting them, they should be sustained by the funds taken by the Commissioners. Of course, the Commissioners would reply that their business was to attend only to places where spiritual destitution existed, and they could therefore only increase small livings; if that were so, it was the duty of Parliament to amend their powers in accordance with the suggestions of the several Commissions and Committees who had reported on the subject. He trusted the right hon. Gentleman would modify his Bill in this light, and to enable him to do so he moved that the House go into Committee upon it this day six months.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself itself into the said Committee,"—(*Mr. Bentinck,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. MOWBRAY said, that though his hon. Friend had had his Notice on the Paper for a considerable time, no real opposition could be offered to the measure. The object of legislation had been to put an end to the abuses of the system under which capitular property had been managed, and if he wanted a strong instance of the advantages to be gained by the extinction of those abuses, he would take the Chapter to which the hon. Member (Mr. Bentinck) had referred. In 1852 the Chapter of Carlisle had a revenue of £6,200 a year, derived from fines. The estates whence it was derived were, in that year, handed over to the Ecclesiastical Commissioners, and in 1865 the Chapter was re-endowed, and the Commissioners proceeded to consider the claims of the poor livings. Under the new system the members of the Chapter would in future receive an amount fully equal to their former income. In addition to this, a sum of £15,000 had been laid out in the restoration of the Cathedral, and a fund, which if capitalized would be equivalent to £35,000, would be applicable to the future sustentation of the fabric, while to the maintenance of parsonage houses, and the augmentation of livings, a capital sum of £150,000 would be applied. And all this without sixpence loss to the members of the Chapter or the common fund of the Ecclesiastical Commissioners. His hon. Friend had altogether mistaken the nature of the Bill; it did not provide for any suppression of Canons. That was altogether an imaginary evil which had been conjured up. A legal and technical defect had been pointed out in two recent schemes of the Ecclesiastical Commissioners, and the sole object of the Bill was to remove doubts, and legalize what had been done in all the previous cases. There was no sort of concealment about the matter. Successive Law Officers of various shades of politics had been cognizant of all that had been done; inquiries had been repeatedly made by Committees and a Royal Commission; in fact, the proceedings were matters of notoriety throughout the kingdom. Hon. Members had heard that the Chapters and Westminster were anxious to come in; of the remaining six, Durham, Lincoln, St. Paul's, and Hereford were anxious to come in and participate in the benefits of the arrangement; and the only two outstanding and offering opposition to the measure were the Chapters of Ely and Lichfield. The principle of the Bill was perfectly clear, and its object was simply to enable the Ecclesiastical Commissioners to provide for the spiritual destitution of the poor parishes that were scattered throughout the kingdom. He hoped the House would give its consent to the measure.

MR. AYRTON said, he had listened attentively to the illustration which the hon. and learned Member for Whitehaven (Mr. Bentinck) had given of the devotion of Gentlemen opposite to the abuses of the Established Church; but he thought it inopportune upon an occasion like that to enter upon a consideration of the general question of Cathedral establishments, or of the proceedings generally of the Ecclesiastical Commissioners. The Bill recited nothing more than that certain errors had been committed which it was expedient to rectify; and in adopting the measure the House was expressing no opinion upon the general question. The time would come when the House would have to consider whether it was just and moral that there should be hundreds of thousands—probably millions—of persons in the country with no more idea of Christianity than the natives of Abyssinia were said to possess, while millions of pounds were spent in assisting a kind of dramatic performance of religion at St. Paul's and other Cathedrals.

THE ATTORNEY GENERAL said, the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) had rather overstated the case in supporting the Bill. It did not recite that errors had been committed; but that doubts had been raised in consequence of the objections which had been taken to the schemes relative to the Chapters of Westminster and Norwich, which it was desirable to set at rest. The fullest publicity had attended every step that was taken with respect to the Orders it was proposed to declare valid. The Bill by no means stated that an error had existed. All it did was to provide that, in case any errors had been committed in the exercise of the powers of the Ecclesiastical Commissioners, no person should suffer, and that the acts of the Commissioners should be valid from the time they had been done.

MR. MONK said, he had no intention of throwing any obstacle in the way of the passing of the Bill. In fact his only objection to it was that it did not go far enough, as it did not include the two schemes relative to the Chapters of Norwich and Westminster. The Bill ought also to contain a clause regulating the transfer of the estates of the other six Chapters. They ought all to be put on the same footing. He confessed that he could see no reason to doubt that the Orders in Council had the same force as the Act itself. He thought that 3 & 4 *Vict.* c. 113, was clear on that point, and he should like to hear from the Law Officers the grounds of the decision at which the Judicial Committee had arrived.

MR. POWELL said, the Bill was of a very beneficent nature, and he should be sorry to see any obstacle thrown in the way of passing it. The opposition to it, more especially at that time, was very inopportune. The question, stripped of its technicalities, was substantially one between the wealthy Chapters and the great Cathedral churches on the one hand, and the churches of the working clergy on the other; and as the House had decided by a majority of 60 that the Irish Church was to be disestablished, it behoved those who had a regard for the Established Church in England to make her endowments available in the highest degree possible for the promotion of those objects which it was the office of a Church to promote. They all knew the self-denying labours of the parochial clergy; but when they came to the Cathedrals they found vast endowments and but little work. The annual income of the Cathedrals, apart from the sums received by the Bishops, was, some years ago, £300,000. It was not less than £200,000 at the present time. He did not believe that, without endowments, it was possible to maintain for centuries an extensive ecclesiastical system; but he also believed there was no Establishment, however well endowed, which might not find room for the voluntary system. The working clergy had found that they were much aided by voluntary efforts. He believed that no less benefit would flow from resort to the same source of help in the case of the Cathedrals. Where the Cathedral authorities had thrown themselves on the people there was a ready response. The Cathedrals then ceased to be—what they had so much become — mere monuments of the past, but were crowded by throngs of willing and grateful worshippers.

Mr. BOUVERIE said, he presumed that neither the hon. Member for Whitehaven nor any other hon. Member meant to oppose the passing of the Bill, because justice to parties affected by Orders in Council required that it should become law. He rose, however, to ask his right hon. Friend (Mr. G. Hardy) a question of some importance—namely, whether, if the powers of the Ecclesiastical Commissioners were not then sufficient they, should not be enlarged for the purpose of dealing with those Chapters which they had not yet dealt with? Anyone acquainted with the subject must know that nothing could be worse than the management of those ecclesiastical estates under the old system. It was for the interest of the Chapters and lessees, and public at large, that this worst possible management should in all cases be put an end to. As the Ecclesiastical Commission, and the large means in their hands, afforded an opportunity of getting rid of that mode of managing property, it would be most unwise of Parliament if it did not confer upon the Commissioners power to deal with such of the estates of the Chapters as were not now within their control. Perhaps that could not be done in the Bill before the House; but he hoped the Government would legislate on the subject in another Bill before the close of the present Session. Such a Bill need not consist of more than one clause.

Mr. CARDWELL said, he would express a hope that the right hon. Gentleman the Home Secretary would accede to the appeal which had been addressed to him by his right hon. Friend behind him.

Mr. LEEMAN said, he would appeal to the hon. Member for Whitehaven (Mr. Bentinck), in the interest of those who were the purchasers of property from the Ecclesiastical Commissioners since 1852, when the first of the Orders in Council was passed, to withdraw his opposition. An immense mass of property had been sold under those Orders, not only in York but in other dioceses, and it would be unjust to the present owners if the Bill did not pass. He was also in favour of extending the powers of the Commission to the other Cathedrals.

Mr. GATHORNE HARDY said, he was very anxious that the question to which the right hon. Member for Kilmarnock had referred should be settled if possible. Parliament seemed to have practically laid down, by having accepted what had been done for many years past, the process which ought to be adopted. Therefore the simple question to be considered—and that was the only point on which he felt any difficulty—was the manner in which a measure on the subject should be drafted in order to make the matter perfectly clear. If such a Bill could be prepared, and he thought it could, he should certainly be most happy to bring it forward.

Mr. BENTINCK said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Orders in Council specified in the Schedule to be valid).

Mr. BENTINCK said, that after the declaration of the right hon. Gentleman the Home Secretary he should not move the Amendment of which he had given notice.

Mr. POWELL stated, that for the same reason he would not proceed with the Amendment which stood in his name.

Clause *agreed to.*

Mr. MONK said, he wished to move an Amendment in the Schedule to the effect that the Bill should apply to the Orders relating to certain benefices reputed to be in the patronage of the Bishop of Gloucester and Bristol as well as to the Orders referring to the estates of the Dean and Chapter of Bristol.

Mr. MOWBRAY said, he hoped the hon. Member would not press his Amendment.

The ATTORNEY GENERAL said, the decision of the Privy Council did not throw any doubt on the validity of the Orders affecting the Bishop of Gloucester and Bristol. He might mention that, in accordance with the usual practice of the Privy Council in such cases, the grounds on which they held certain Orders to be bad had not been stated.

Amendment, by leave, *withdrawn.*

House *resumed.*

Bill *reported,* without Amendment; to be read the third time *To-morrow.*

## GOVERNMENT OF INDIA ACT AMENDMENT BILL.

### LEAVE. FIRST READING.

Sir STAFFORD NORTHCOTE, in moving for leave to introduce a Bill "to amend in certain respects the Act for the better Government of India," and another Bill "to define the powers of the Governor General of India in Council at meetings for making Laws and Regulations, and to make better provision for making Laws and Regulations for certain parts of India, and for certain other purposes," said: I might have put these two subjects into a single amending Bill, but they were separated for this reason—the first of the two Bills is one of a limited character, but one which, if the House want to alter the position of the Council in India, it is important they should pass this Session; the second Bill contains provisions of a miscellaneous character, which possibly the House might desire to take more time in considering. It is necessary, with regard to the first Bill, that anything which this House may do should be done at once; because, it is certain that, in the course of this year, several Members of the present Council of India will resign their appointments, and, according to the present state of the law, their vacancies must be filled up by other gentlemen who will hold their offices, under the present Act, for life. If, therefore, as seems to be generally agreed, the tenure of the office of Councillor is to be limited, this opportunity of altering the constitution of the body ought not to be lost. The object of these Bills is to amend in several minute particulars the system under which we now administer the Government of India. It is not necessary on this occasion to enter into any elaborate discussion of the principles upon which our administration of India is founded. Still less shall I enter into any general question of the particular relation between this country and India. It is, indeed, a wonderful feat for a country constituted as England is to administer the affairs of so vast a territory as India, situated at such an enormous distance, and comprising so many populations so diverse from one another and from our own. It reflects honour upon this country that it should be able to conduct such an administration with the success which has, at all events, in recent times, upon the whole, attended our administration of India; and, if we look back upon the last ten years, during which we have been trying the experiment of the direct government of India through a Secretary of State in Council, responsible to Parliament, we may fairly say that experiment has been a very successful one, and that India has been fully as well Governed since 1858 as before, if not better. Certainly, in rising to propose some amendment in the present system, it is far from my intention to pass any reflection upon the working of the existing system of Government. The main principle that has guided Parliament in administering Indian affairs may be said to be this: that we have endeavoured to govern India by means of an Executive machinery in India, subject to a controlling machinery in England. And, although the distinction between the Executive machinery and the controlling machinery has not been always very strictly observed; still, upon the whole, that is the character of our administration. The Executive Government in India rests with the Governor General and the subordinate administrations. The control which was formerly divided between the East India Company and Parliament has, since 1858, been vested in Parliament itself; so that Parliament has become directly responsible for the administration of the affairs of India. The machinery by which Parliament has exercised this control is that of the Secretary of State in Council. The Council, as hon. Members are aware, consists of fifteen gentlemen, of whom the greater part have served for a certain length of time in India. Half of them are elected members and half nominated by the Crown, and they have certain powers conferred upon them. They hold their offices for life, and act as the advisers, and, to a certain extent, the controllers, of the Secretary of State, in whom is vested the control of the Executive Government of India. The experience of the working of this system is very favourable to the general principles upon which it is founded. I am now speaking more especially of the Council, and it is right to bear my testimony—and I am sure my predecessors would also bear theirs—to the very efficient and invaluable assistance which they have derived from the gentlemen who have acted as their Council. I believe that, in some quarters, among persons not very cognizant of the nature of the business of the Council, or of the mode in which they discharge their functions, an impression prevails that the Council are more or less of a useless, and even of an obstructive, character. One frequently sees taunts thrown out against them as being old and superannuated members of Indian services, who have no acquaintance with the wants of the present day, and stand in the way of all improvement and reform; but any one who has had practical experience of the mode in which the Council has worked would feel that this was not only ungenerous, but a very untrue account of the matter. The greater number of the members of Council devote a large part of their time to the discharge of the duties of their office; many of them work as hard as any clerks or secretaries I have ever known in any public office; and, combined with the amount of work they do as departmental officers, they afford most valuable assistance as advisers to the Secretary of State. In estimating the value of the Council hon. Gentlemen ought to bear in mind the peculiar position in which the Secretary of State, as a general rule, is placed in administering the affairs of India. One who has had no personal experience of India is placed in an anomalous and difficult position, at least if he have not the assistance of a Council, because removed almost entirely from the control of public opinion in this country, deprived of the advantage which his Colleagues who are administering other Departments of the State have of free discussion in Parliament upon every question that arises, he is called upon to superintend and control the proceedings of the Governors of an enormous Empire at the other side of the world, upon thousands of details, embracing every class of business. He is at once charged with military duties, with financial duties, with the duties of home administration, with foreign affairs, with judicial affairs, with the management of great railway and other public works; and the enormous mass of business which comes upon him is perfectly overwhelming. How is he to deal with all these questions, unless he has the advantage of taking counsel with persons possessing such a considerable amount of practical knowledge and holding such an independent position as to be competent to enter into discussion with him? I do not know whether those who speak of the great advantages of personal government mean the term to be applied to the controlling authority in this country; I am quite certain, if they do, they are using a term of the significance and effect of which they are hardly conscious. Anything like an attempt to regulate and control the affairs of India through the personal authority of the Secretary of State alone would be a most disastrous failure and would lead to serious consequences. It may be said, no doubt, that the Secretary of State, if he were not assisted by a Council, would, of course, have the advantage of having heads of Departments who would be possessed of a large amount of experience and would be compelled to give advice; but that would not be equivalent to the advice, assistance, and control of a body of Councillors properly selected and holding a proper position. One of the objections urged against the present system is that these Councillors are able to overrule the Secretary of State upon various points of importance—that, in fact, his responsibility is frittered away by the circumstance that he has not the power to act as he himself pleases, and that, therefore, when he is taken to task in this House for anything done or omitted, he may shelter himself by pleading that it is not he but the Council that is responsible. In the first place, that is not strictly true; at least, to a very great extent it is not true. Except in questions immediately connected with the expenditure of money, and except in questions relating to certain appointments—of which I shall speak presently—the Secretary of State has always the power of over-ruling his Council if he pleases, although no Secretary of State would unnecessarily exercise it. Still, he has the power, and whenever he thinks a sufficient case has arisen, he is bound to exercise it. Therefore, he certainly ought not as a rule to shelter himself under the plea that it is the Council and not he that is responsible. No doubt he has the power, which has been from time to time exercised, of over-ruling his Council, and as he has the power he must be responsible when he does not choose to do so. With regard to questions of expenditure, I was some time before I was able to make up my mind as to the right proposal to submit to the House, or, indeed, whether I should make any at all. It is undoubtedly the case that the Secretary of State has not the same power of over-ruling his Council with regard to the expenditure of money that he has in other matters, and that is a very important limitation upon his powers. It might happen, for instance, that the Governor General might send home a despatch to this country calling attention to the sanitary condition of some of the great towns in India; and he might point out that it was necessary, in his opinion, that certain measures should be undertaken to improve the condition of those towns. The Secretary of State might be perfectly convinced that the Governor General was right; he might propose the necessary expenditure to his Council; they might by a majority, perhaps a small one, refuse to sanction it; and in that case the Secretary of State would be powerless. Suppose after a time a great calamity happened, an epidemic broke out in consequence of the neglect of sanitary precautions, a number of lives were lost, and the Secretary of State were called upon in Parliament to answer for that neglect, all he would be able to say would be that he was over-ruled by his Council. That is an illustration of what might happen under the present system. Undoubtedly, the controlling power is vested in Parliament, and if Parliament chose to hold the Secretary of State responsible it would seem reasonable that he should have ample power to exercise his authority. After full consideration, I am satisfied we may still leave things as they stand at present. I own that my first impression was that it would be desirable to give the Secretary of State power, when any expenditure was recommended by the Governor General, to overrule his Council if he thought proper, and bring the matter before Parliament for approval; but, upon further consideration, I believe it is better and safer to leave the matter as it now stands. I do not know that the imaginary case I have put has ever happened, and, looking to the spirit which animates the Council in India—and which I believe always will animate any Council in India, if you have a Secretary of State who is really competent for his office—I think it will scarcely ever happen that the Council will refuse expenditure which he takes the responsibility of urging upon them, telling them that he must hold them responsible for refusing it. If they do so, he has it in his power to bring the matter before Parliament in such a way as to raise a full and fair discussion, and if the Council were objecting to that which was absolutely necessary, I believe he would be able to overcome them. Therefore, I do not think it is necessary to introduce any change in the present system, which has in it very great advantages, including this, that it furnishes a check to any rash or ignorant action on the part of the Secretary of State. There are certain disadvantages; but, considering all things, I do not propose any alteration. With regard to the other point on which the Council have supreme authority—namely, the appointment of certain officers in India, the members of the Governor General's Council, and of the Councils of the Governors of the Presidencies, I feel differently. I think we ought to lay down as the first principle of our proceeding that the Executive in India should be as strong as possible, and that the control should be exercised, not in India, not by any vexatious hampering of the Governor General or the Governors, as the case may be, but by the deliberate action of the Secretary of State in this country. In former times, when India was at a great distance in point of time from this country, when it was impossible to send home for instructions, and when the Governors and the Governor General had enormous power, it was undoubtedly right to put some check upon them, and Councils in India were, no doubt, invented for that purpose. In the days of Warren Hastings such control was effectually exercised. The state of things now is so changed that the occasion for this sort of control seems to have ceased. On the other hand, the character of the business done in India has materially changed as India has become more civilized. It becomes more and more necessary that the Executive should be able to distribute its business among Departments, as is done in this country, ceasing to be a controlling power over the Governor General, and becoming more ministerial to discharge particular functions with authority. It is becoming important that the Governor General should have the support in his Council of men upon whom he can rely, and who will be of use to himself, he retaining his responsibility, he being the person responsible to the Secretary of State, and not they; and if that is so, it would seem natural that the Governor General should have the power of selecting his Councillors. Speaking from my own point of view, I should have been very glad to give the Governor General directly the power of nominating his own Councillors. It has, however, been pressed upon me by men whose opinions I am bound to respect that there may be cases in which this would lead to inconvenience. I therefore propose, instead of giving the power directly to the Governor General, to give it to the Secretary of State—that is to say, to provide that Her Majesty shall by Royal Warrant nominate these Councillors, and that power Her Majesty will, of course, exercise, under the advice of the Secretary of State, who, it is to be supposed, will be guided by the advice of the Governor General in regard to the selection of those gentlemen. I cannot but think that there may be a tendency, on the part of the Council of India, composed of men such as Indian Councillors always must be, to look upon such appointments in a different light from that in which as I conceive they ought to be regarded. That is to say, that, being for the most part old civil servants, they are tempted to look on the position of Councillor as one which the members of that service, if they are persons of average competence, and of a certain standing, ought in due course to attain, and that it is a case of injustice or unfairness to pass over a man standing high in the Civil Service and put one who is his junior into the Indian Council. It is, in fact, thought that after a certain period of service a man earns his appointment to the Council. That is a state of things which I do not deem satisfactory, and I wish to get rid of any danger of that kind, because nothing could be more injurious to the Government of India than to turn it into anything that could be called a "bureaucracy." But if you pursue a system under which the majority of the Councillors are appointed by rising to a certain position in the Civil Service, you do, in fact, create a "bureaucracy." I therefore propose that the power of nominating the members of the Governor General's Council, and those of the Councils of the Presidencies should be transferred virtually to the Secretary of State. The only other point in this Bill that I need mention relates to the control over the expenditure. It is this—There is in the present Act for the Government of India a section which provides for the appointment of an officer called the Auditor General, who has great power vested in him by that Act. He has to examine all the accounts, and see that nothing is done, and no expenditure ordered without proper sanction; and, to secure his independence, direction is given in the Act that he shall be appointed by the Chancellor of the Exchequer, who is also to fix his salary, which he is to receive for life, or as long as he conducts himself properly. All that sounds very well, but in actual practice, whether intentionally or through inadvertence, I do not know, that clause has been made a mere farce. Because, although a very distinguished gentleman has been appointed as Auditor General, and a salary which cannot be taken from him, has been assigned to him by the Chancellor of the Exchequer, yet that salary is only £300 a year; and, inasmuch as he is a very valuable officer, and performs some important departmental duties, an addition of £700 a year has been made to his income by the Secretary of State in Council, which is quite independent of what he enjoys by Royal Warrant, and might be taken from him to-morrow by a stroke of the pen of the Secretary of State in Council. To say that a gentleman with a fixed salary of £300, and a variable one of £700, depending on the pleasure of those whom he is appointed to control, is an independent officer, is what I call a mere farce; and I therefore propose that the Auditor General shall continue to receive the same salary as now —namely, £1,000 a year, but that it shall be given him by the Act, and at the same words will be inserted, providing that he shall not receive any other salary from the

Secretary of State. Beyond this, we do not propose that there should be any material alteration in the principles on which the control over the expenditure is exercised; but I do think it would be desirable that this House should take somewhat more interest in observing what the expenditure is. I have introduced some changes in the form of the accounts which will render them rather more intelligible to the House. I have called on the Auditor General to make his Report in such a manner as will show whether there are any points which he thinks ought to be challenged, so that attention may be directed to them; and I hope the House will consent to refer the accounts with the Auditor General's Report upon them to the standing Committee of Public Accounts, which examines the audited accounts of Imperial expenditure. And if that Committee will undertake this duty, I should propose that when the Secretary of State brings forward what is called his Indian Budget, instead of asking the House to pass a Resolution affirming simply that certain facts have been laid before it, he should propose a Resolution to the effect that the House has seen the Report of the Committee of Public Accounts upon the Auditor General's statement, and approves the same. That would be a kind of voucher which would not impose any great responsibility on the House, but which would afford it more opportunity, if so disposed, of challenging any particular portion of the expenditure. I may mention a matter which has been, I admit very properly, the subject of some criticism in this House. I refer to the expenditure incurred last year for the ball to the Sultan. Under the old form of the accounts that expenditure would never have appeared in any account presented to this House; but I have ordered the accounts to be prepared in such a shape as that any item of that kind would be easily seen, and that the House might have an opportunity of expressing an opinion upon it. I do not, however, think it would be desirable so to alter these things as to call upon the House in any way to vote the expenditure for India, because that would change in an inconvenient manner the relations between the Imperial Parliament and India in financial matters. I have described to the House the whole of the first Bill which I wish to bring in for the amendment of the Government of India Act. There is another Bill I propose to introduce, which is intended to define the powers of the Governor General of India in Council at meetings for making Laws and Regulations, and to make better provision for making Laws and Regulations for certain parts of India, and for certain other purposes. That is a measure of a somewhat miscellaneous character. There are three or four provisions in it which I will very briefly mention. The first of them does not make any change in the law, but affords greater facilities to the Governor General for over-ruling his Council. At present the Governor General has by law the power, by a very cumbrous process, of over-ruling his Council in matters in which he thinks the safety or the good government of India is concerned. That is to say, it is understood that if there is a difference of opinion between the Governor General and the members of his Council, they may exchange Minutes the one with the other, and after that exchange of Minutes has gone on for a certain time, and they have failed to convince one another, then the Governor General may over-rule his Council. Now I propose a simpler method of doing the same thing —namely, that on the first occasion their difference of opinion has become decided, and they know that they do disagree, the Governor General shall at once be able to over-rule his Council, giving, of course, to his Councillors the power of recording Minutes, with their reasons for dissenting from him, and providing for those Minutes being sent to the Secretary of State. Another point of a rather technical nature, and which it will, perhaps, be best to leave till the Bill is in print, relates to the definition of the power which the Governor General in his Legislative Council has to make laws for British subjects in other parts of India. Then comes another point of considerable importance. The House is aware generally of the distinction drawn between the Regulation and the non-Regulation provinces of India, and probably also that under the Indian Councils Act of 1861, the power which was formerly supposed to be vested in the Governor General of making laws or regulations with the force of law for the non-Regulation provinces, has now ceased to exist, and that, in fact, there is no means by which he can legislate for the Punjab, the Central Provinces, or any of the outlying parts of India which has not a Legislative Council of its own, except through the Legislative Council of India. Well, the Legislative Council of

India is a body extremely well qualified, no doubt, to legislate for the settled parts of India; but it does not appear to be very well qualified to legislate for the wilder, ruder, and more distant portions of that country. In the first place, its composition is not such as would enable it very easily to legislate for certain remote parts of India; and, in the next place, the very fact, that anything which is proposed for the regulation of those provinces must form matter of debate in the Legislative Council is a serious evil; because in those wilder districts what is wanted is something more in the nature of despotic ordinances to meet promptly and at once some difficulty that has arisen; and if those ordinances are made the subject of discussion in such a fairly advanced Council as now usually sits at Calcutta, there is every probability that misunderstanding and misrepresentation may arise, and those very discussions may produce much mischief in the provinces in question. What I propose in this Bill is to give powers to the Lieutenant Governors of the Punjab and the other provinces where there are no Legislatures, and also to the authorities in such parts of India as may be specified by the Secretary of State, to propose regulations to the Governors in Council to which they may give the force of law. That suggestion emanates from Mr. Maine, and is entirely approved by Sir John Lawrence. There is another point which relates to the very important question of the Government of Bengal. The House will bear in mind much that happened last year in consequence of the melancholy and disastrous famine in Orissa, and the inquiries that were made into the steps that were taken to avert and relieve that distress. The House will not have forgotten the result of those inquiries was far from satisfactory as to the picture of our administration of Orissa. It was a difficult matter to say upon whom the responsibility of that failure directly fell—whether on the Lieutenant Governor of Bengal, on the the officers under him, or on the Government of India. The peculiar relations that exist between the Governor General and the Lieutenant Governor of Bengal were undoubtedly seen to be very inconvenient and embarrassing. These circumstances have naturally caused a great deal of attention to be bestowed upon the question of the administration of Bengal. Early in the autumn, I drew the attention of my Council to the subject; and the most convenient mode of proceeding, I thought, was to appoint a Special Committee of the Council of India, and submit to them certain questions as to the administration of India generally, and especially as to the future organization of the administration of Bengal. That Committee devoted considerable time to the examination of the subject, and ultimately presented a Report, which was signed by four out of six members of Committee; the other two put in a dissent. The view the majority took was this — that Calcutta ought to be the capital of India, that it was essential that the Governor General and the Government of India should be permanently resident in Calcutta, and that if the Government resided in Calcutta it would be inexpedient and embarrassing to have a separate Government of Bengal in the same city with the Government of India. They held, therefore, that the Government of Bengal should continue, as at present, under a Lieutenant Governor, but strengthened by the addition of secretaries and other officers, and they proposed to take the city of Calcutta out of the administration of the Lieutenant Governor and place it under the direct administration of the Governor General of India. They also proposed that the Lieutenant Governor of Bengal should be a member of the Governor General's Council. Two Members of the Committee dissented from those recommendations, however, and advocated the erection of Bengal into a full Government, like Madras and Bombay. It happened that Mr. Maine was in this country, and he put in a very interesting memorandum on the subject. After these Papers were presented and I had considered them, I adopted the view of the minority — that it was more desirable that the Government of Bengal should be erected into a Presidency on the footing of Madras and Bombay. I also came to the conclusion that the majority of the Committee were wrong in thinking that it was necessary to confine the Governor General of India and his Council to Calcutta, and that it was rather desirable that they should be as far as possible detached from any local or special administration. It seemed to me unnecessary to lay down the principle that there should be but one capital of India, and that capital Calcutta. I thought that by detaching the Government of India from local administration, and setting it free to place itself wherever its presence was required, the question of the capital would soon settle itself. I caused a despatch to be prepared for the purpose of being sent to India, and submitted it to my Council; they came to a division on the subject, seven in favour and eight against my despatch; I had power by giving a double vote to have turned the scale, but I was under this difficulty—I had been in private communication with Sir John Lawrence, and I knew his own opinion was adverse to the change I wished to propose. He thought it would weaken the authority of the Governor General that a Governor of Bengal should be sitting by his side; and, knowing that to be the opinion of the Governor General, and that my Council were equally divided, I thought it was not a case in which it would be right for me to exercise my casting vote to direct that these steps should be taken. I thought it rather desirable that I should direct a letter to be written to the Government of India, stating the case, and asking them officially to state their views. Accordingly, I had such a despatch prepared and sent out to India. I did so with the intention of bringing the matter before Parliament, and giving this House full knowledge of what had taken place, and all the arguments used on both sides of the question. I am sorry that I have not yet got the official answers from India; but I have received privately Papers from Sir John Lawrence, and from the present Lieutenant Governor of Bengal; and what I propose to do is to lay before the House the various memoranda which have been put in, and the despatch and Papers I have sent out to India; so that the House may have before it all I have as the means for forming their opinion. But in the Bill all I propose to do is to insert a clause giving power to the Secretary of State, if he please, to erect Bengal into a Presidency, on the footing of Madras and Bombay, either with or without a Council. I do not think I need enter further into that part of the subject. There is only one other point included in the Bill which I must mention, and it is one of considerable importance and interest. I am sorry I do not see the hon. Member for Brighton (Mr. White) in his place, who has given a Notice with reference to the subject—it relates to the admission of the Natives into the Civil Service of India. It was always felt by the old Court of Directors, by the Indian Council, by all the home authorities, and, indeed, by the Indian authorities also, that it was most desirable, as far as possible, to make provision for the employment of the Natives of India; but the difficulty has been in what way it could be accomplished. When the hon. Member for Brighton brings forward the Motion for which he has given notice—that competitive examinations should be held in India I shall feel it my duty to state the reasons why I cannot assent to that proposal. I do not think it would be at all suitable to the condition of India that the Civil Service should be thrown open to anybody who can pass the best competitive examination among the Natives of India; for, although I am a strong advocate for competitive examinations in this country, I do not think they apply to such a country as India, where you require, not the cleverest men, but various other qualifications which you are not so well able to test by competitive examinations. It was felt, however, that a great deal more might be done with respect to the admission of Natives. In the Uncovenanted Service there are a great many appointments that are of considerable value, and a Return has been presented to the House showing the number of appointments in the Uncovenanted Service held by Natives and Europeans; and it is not pleasant for me to say that the proportion is, I think, about six Europeans to one Native. The impression of myself and the Council is, that the Uncovenanted Service should be, as far as possible, a Native service, though no doubt certain appointments should be given to Englishmen. In explanation of the large proportion of Europeans in the Uncovenanted Service I may mention that appointments were given to many Europeans who rendered services during the Mutiny, and other appointments were given to the sons and relatives of old officers. Still, I feel that the Uncovenanted Service is a dangerous service for Europeans, as it affords a scope for jobbing, and we ought to confine it more to Natives than to Europeans. In addition to this, I think it desirable that we should provide some mode by which Natives should be admitted into the Covenanted Service; and I therefore propose to introduce into the Bill a clause to open, to a certain extent, a door for that purpose. At present there is an Act by which a certain number of choice appointments are reserved to members of the Covenanted Civil Service which can only be entered by competitive examination in this country; but there is also, by a section of that Act, power given to the authorities to appoint other persons, provided they have resided in India a certain number of years, and have passed certain language tests. This latter provision, however, not being thoroughly effective, I propose to introduce a clause declaring that nothing in that Act shall prevent the authorities from appointing any Native of India to any post in the Covenanted Service, subject to such regulations as may appear expedient to the Governor General, and as shall be approved by the Secretary for India and the majority of his Council. Such a provision will afford a safeguard against the powers being abused to the detriment of the Covenanted Civil Service. I propose, also, to define a Native of India as being a person born of parents habitually resident in India, and not of persons merely established there for a temporary purpose. I have now gone through all the main provisions of the two Bills, and if the House adopts them I think they may tend to improvements in the Government of India, though I am far from saying that they go to the root of the difficulties we have to deal with. We must consider that India is not one undivided whole; and that we have to deal with an enormous variety of people in every stage of development. It is desirable to provide, as far as possible, the means of fair play among the different parts of India, and to bring about a state of things, in accordance with which there would be more of local administration, subject, however, to the general control of the Government of India. With respect to the financial relations of one part of India to another, those are questions into which it is impossible for me at the present time to enter; but they have been raised in India, and are now undergoing consideration there. Mr. Massey has proposed a scheme by which local administration and objects may be promoted by the expenditure of local funds, raised on a system of local taxation. This is a matter difficult to manage, and we must be cautious, for it is better to be a year or two too long than to be precipitate in our proceedings. However, in the general principle of Mr. Massey's proposals I cordially concur; and I hope it will not be very long before something of the kind is carried into effect. We must take care that the solidity of Indian finance is not shaken, and we must provide safeguards against reckless expenditure. We have a system which has raised the credit of India to the highest pitch, and therefore I would be the last to disturb it, and would be slow and cautious in introducing any change. Nevertheless, I repeat that in the principle of Mr. Massey's suggestions I concur. With regard to the two Bills, the objects of which I have now explained, I propose to introduce them to-night, and to name three weeks or a month hence for the second reading, and I will move for the production of those Minutes and Papers to which I have adverted. Some of these Papers are of a character that it is not usual, perhaps, to produce, they being more or less of a confidential character; but there is nothing in them which it will be objectionable to publish, and it will be for the convenience of the House that they should be in the hands of Members.

Bill to amend in certain respects the Act for the better Government of India, *ordered* to be brought in by Sir STAFFORD NORTHCOTE and Sir JAMES FERGUSSON.

Bill *presented*, and read the first time. [Bill 91.]

### BANK HOLIDAYS BILL.

Select Committee *nominated* :—Sir COLMAN O'LOGHLEN, Mr. STEPHEN CAVE, Mr. GOSCHEN, Mr. ROTHSCHILD, Mr. Alderman SALOMONS, Mr. PIM, Mr. HUBBARD, Viscount AMBERLEY, Mr. BARNETT, Mr. WALDEGRAVE-LESLIE, Mr. PAULL, Mr. LUSK, Mr. FRESHFIELD, Mr. GOLDNEY, and Mr. GRAVES :—Power to send for persons, papers, and records; Five to be the quorum.

*Instruction* to the Committee, to consider the propriety of discontinuing the days of grace and the practice of noting bills on the day on which they become due.—(*Mr. Stephen Cave.*)

### GOVERNOR GENERAL OF INDIA BILL.

On Motion of Sir STAFFORD NORTHCOTE, Bill to define the Powers of the Governor General of India in Council at meetings for making Laws and Regulations, and to make better provision for making Laws and Regulations for certain parts of India; and for certain other purposes, *ordered* to be brought in by Sir STAFFORD NORTHCOTE and Sir JAMES FERGUSSON.

Bill *presented*, and read the first time. [Bill 92.]

### PETROLEUM ACT AMENDMENT BILL.

On Motion of Sir JAMES FERGUSSON, Bill to amend the Act twenty-fifth and twenty-sixth Victoria, chapter sixty-six, for the safe keeping of Petroleum, *ordered* to be brought in by Sir JAMES FERGUSSON and Mr. Secretary GATHORNE HARDY.

Bill *presented*, and read the first time. [Bill 93.]

House adjourned at a quarter after Eleven o'clock.

# HOUSE OF LORDS,

*Friday, April* 24, 1868.

MINUTES.]—SELECT COMMITTEE—On Public Petitions *nominated.*

PUBLIC BILLS—*First Reading*—Metropolis Subways* (73).

*Second Reading*—Oyster and Mussel Fisheries* (58).

*Committee*—Bankruptcy Acts Repeal (30); Bankruptcy (31); Judgment Debtors (32); Promissory Oaths* (52).

*Report*—Bankruptcy Acts Repeal (30-74); Bankruptcy (31-75); Judgment Debtors (32-76).

## COMPULSORY CHURCH RATES ABOLITION BILL.

### STATEMENT.

EARL **RUSSELL** said, that the noble Earl opposite (the Earl of Malmesbury) had requested last night that he (Earl Russell) would be prepared to state this evening the course he intended to take on the proposal of the Government to refer the Compulsory Church Rates Abolition Bill to a Select Committee. While he confessed he had great doubts on the subject, yet, on the understanding that the principle of the Bill was not to be departed from, and that the Committee would be only for the purpose of going carefully through the details, he should not oppose the Motion of the noble Earl. He would on another occasion state more particularly his views on the subject.

## BANKRUPTCY ACTS REPEAL BILL.

(*The Lord Chancellor.*)

### (NO. 74.) COMMITTEE.

Order of the Day for the House to be put into Committee read.

THE **LORD CHANCELLOR** said, that since the three Bills on the subject of bankruptcy (the Bankruptcy Acts Repeal Bill, the Bankruptcy Bill, and the Judgment Debtors Bill) were laid before their Lordships, and had been made public, he had received a number of communications which induced him to propose modifications in various details of those measures. A noble and learned Lord had also given notice of Amendments, some of which he deemed to be improvements on the Bill, while to others he was not able to give his assent. Under these circumstances, he thought that the most convenient course to pursue would be to go into Committee on the Bills *pro formâ*, with the view of introducing the Amendments on the Report, and he would then propose to fix the Committee again on Monday week.

LORD **CRANWORTH** thought it very necessary that, in abolishing imprisonment for debt, great care should be taken that the measure should not be made a simple means to enable a debtor to hold any property he might acquire after bankruptcy.

LORD **ROMILLY** said, that one of these Bills effected a serious change in the whole system of the English Law. It was proposed to be enacted that a bankrupt should be deemed guilty of misdemeanour, and be liable to imprisonment for three years, with or without hard labour, at the discretion of the Judge, for certain acts, if those acts were done with a view to defraud creditors. The bankrupt was to be held guilty unless he proved to the satisfaction of a Judge and jury that he committed the acts, perfectly innocent in themselves, without intent to defraud. For instance, in Part XX., sec. 365, it was enacted, that if within four months next before adjudication the bankrupt removes any part of his property to the value of £10, he is guilty of a misdemeanour and liable to be imprisoned for three years, with or without hard labour, unless he shows to the satisfaction of the Court and jury that he did not do so with intent to defraud. Therefore the bankrupt, when prosecuted under this clause, may have his account with his banker produced, and be called upon to prove that any cheque drawn by him for four months before adjudication, which exceeded £10, was not drawn for a fraudulent purpose. What answer could the bankrupt give to vindicate himself from such a charge? If he proposed to explain the transaction he is stopped at once; the bankrupt would not be allowed to give his evidence on oath, and unsworn evidence would be held to be no evidence at all. Can he call witnesses and prepare his defence? By no means. For that purpose he must employ an attorney; but he would not have the means of employing an attorney or procuring the attendance of witnesses, as every penny would have been taken from him by the process of bankruptcy. If Parliament were to do this, they would either enact a clause which it would be impossible to enforce, or they would authorize an act of the greatest possible injustice. Such a provision, even if it should be passed by their Lordships, would never be assented to by the House of Commons; and there was, besides, a great number of other clauses of a similar character. Nothing was more remarkable than the difference of feeling of the mercantile creditor in the abstract and in the concrete; always ready to enact clauses of the utmost cruelty against debtors generally—always most merciful and kind to the individual debtor who had become insolvent. The great evil of such legislation was that its tendency was to promote a system of reckless credit, instead of endeavouring, as it should do, to discourage that system, which was the principal cause of wild speculation and ultimate ruin.

The LORD CHANCELLOR said, that he concurred in every word which fell from his noble and learned Friend (Lord Cranworth) with regard to the after-acquired property of the bankrupt. He thought it was very necessary they should be careful, when they were abolishing imprisonment for debt, not to hold out our bankruptcy proceedings simply as a means for a person to get what was commonly called "whitewashed." But upon that point the present Bill proceeded further than that of 1866, which made after-acquired property liable if the dividend had been less than 6*s.* 8*d.* in the pound; whereas it was now proposed to make such property liable, under the direction of the Court, no matter what the proportion of the dividend might have been. With regard to the subject introduced by his noble and learned Friend the Master of the Rolls, he could assure his noble and learned Friend that the principle upon which the clauses to which he had referred were framed involved no novel principle in our criminal jurisprudence. There were many cases already in existence where the onus of proof was made by the law to rest on the person charged, that the acts charged were not the result of any criminal conduct on his part. This matter was one which had been much considered by the mercantile community; and they concurred in the view that if a person in trade was found, for example, falsifying or destroying books or removing property at particular dates, having reference to the particular circumstances of those dates, the onus should be thrown upon him of showing that he acted without any criminal or improper intention towards his creditors, and the creditors should not be left under the obligation of proving that which they could not prove—namely, what was passing in the mind of the debtor. He agreed, however, with his noble and learned Friend, that it was worthy of the consideration of their Lordships whether, if they thought it right to throw the burden of proof upon the debtor, his mouth should not be so far unsealed that he should be allowed to give his own statement of the transactions in which he had been engaged.

Lord ROMILLY said, he believed it impossible for a Bill of this magnitude to be passed through Parliament in the two or three months remaining of the Session, and that it would be as well before it was proceeded with, to take the opinion of three or four well-qualified persons as to its provisions. When he had the honour of introducing the Incumbered Estates Court Bill for Ireland, he submitted his measure to a number of persons whom he knew to be hostile to it, and in that way objections were pointed out which would not otherwise have presented themselves; and he thought a similar benefit would be derived from a further discussion of this Bill out-of-doors.

The LORD CHANCELLOR reminded his noble and learned Friend that the measure had gone fully through the very process which he advocated. A Bankruptcy Bill had been introduced and freely criticized before a Select Committee in 1866. In 1867 another Bill, profiting by that criticism, had been brought in, and had also undergone similar criticism; and the present Bill was the result of the experience derived from those two previous occasions. He had, he might add, that day had the pleasure of meeting a deputation from the Chamber of Commerce of Liverpool, who had stated to him that they highly approved of the Bill, while pointing out two or three particulars in which they desired that its provisions should be modified.

Earl GREY said, he altogether disapproved that principle of commercial morality which allowed men to launch into all sorts of speculations, and to pocket the money derived from them if they were successful, while, if they failed, only a small dividend was paid to their creditors. There ought, in his opinion, to be some modification of the old system of imprisonment, to meet the grave offences which were in those cases the result of imprudence as well as of fraud.

BANKRUPTCY ACTS REPEAL BILL [H.L.] (No. 74)—BANKRUPTCY BILL [H.L.] (No. 75)—JUDGMENT DEBTORS BILL [H.L.] (No. 76)—House in Committee (according to Order); Bills *reported,* without Amendment;

Amendments made; Bills *re-committed* to a Committee of the Whole House on *Monday* the 4*th of May* next; and to be *printed* as amended.

## RIOTS IN LANCASHIRE.—QUESTION.

The Earl of **LICHFIELD** asked the Government, If it be true that a large Number of Staffordshire Colliers have been forced to leave their Employment in the Coal-pits of Lancashire, in consequence of the Magistrates and Police Authorities of that county having declared their Inability to protect them from Violence and personal Injury?

The Earl of **MALMESBURY** said, he was sorry to have to state, in reply to his noble Friend, that it was true the force for protecting the persons to whom he alluded had been withdrawn, and that they had therefore been obliged to return to Staffordshire. The first intimation received by his right hon. Friend the Home Secretary of what had occurred came from a deputation of coal-owners, who called upon him yesterday morning and stated the facts. Immediate inquiry was made by the Home Office, and a Report was sent to Mr. Hardy by the Chief Constable of the place—to the effect that he had not sufficient force to maintain—what he had for some time maintained—the protection of those Staffordshire colliers; that the riotous conduct of the pitmen had extended, and that, therefore, his force not being sufficient, he had been obliged to withdraw his men from that part of Lancashire. The same statement was made by the Mayor; whereupon Mr. Hardy telegraphed, both to the Chief Constable and the Mayor, that he expected them to obtain more assistance and to maintain the law, as it was their duty to do. Mr. Hardy further applied to the Horse Guards for an increased military force; and he understood a troop of cavalry and about 300 infantry were by this time ready to maintain peace and order on the spot. Beyond that, the Government had no information. Mr. Hardy, he might add, also communicated with the Clerk of the Peace, stating that he expected the Magistrates to use their utmost exertions to do their duty with respect to these riots.

## PUBLIC PETITIONS.

Select Committee on: The Lords following were named of the Committee; the Committee to appoint their own Chairman:

M. Bath
E. Devon
E. Stanhope
E. Carnarvon
E. Morley
E. Russell
E. Kimberley
V. Eversley
V. Halifax
L. Clinton
L. Redesdale
L. Colchester
L. Silchester
L. Lyveden
L. Taunton

House adjourned at a quarter before Six o'clock, to Monday next, Eleven o'clock.

# HOUSE OF COMMONS,

*Friday, April* 24, 1868.

MINUTES.]—Select Committee—*Report*—On Metropolitan Foreign Cattle Market [No. 227.]

Ways and Means — *Resolution* [April 23] *reported.*

Public Bills—*Committee*—Marriages (Frampton Mansel) * [79]; County Courts (Admiralty Jurisdiction) * [33]; United Parishes (Scotland) * [81].

*Report*—Marriages (Frampton Mansel) * [79]; County Courts Admiralty Jurisdiction * [33-94]; United Parishes (Scotland) * [81].

*Third Reading*—Ecclesiastical Commissioners Orders in Council * [69]; Legitimacy Declaration (Ireland) * [87]; Religious, &c. Buildings (Sites) * [18], and *passed.*

## POST OFFICE—WEST INDIAN MAILS.

### QUESTION.

Mr. **GRAVES** said, he wished to ask the Secretary to the Treasury, If it is the intention of Her Majesty's Government to invite competition for the conveyance of the West Indian Mails on the expiration of the present Contract?

Mr. **SCLATER-BOOTH** said, in reply, that the Government had no intention of inviting competition for the conveyance of the West Indian Mails at the expiration of the present Contract. The West India Mail Steam Packet Company had represented to the Government that it would be impossible for them to make the outlay which was necessary for the adequate performance of the service after the disastrous results of the hurricanes which occurred in the West Indies last year, unless their term were extended beyond the two years during which the Contract was to run. This request was regarded as a reasonable one and was acceded to. The terms upon which the Contract would be recommended were still under consideration, but one condition would be that the Packet Station should be removed from St. Thomas to some other place in the West Indies.

## INDIA—BANK OF BOMBAY.

### QUESTIONS.

LORD WILLIAM HAY said, he would beg to ask the Secretary of State for India, Whether, when directing the Governor General of India to appoint a Commission of Inquiry into the circumstances attending the failure of the Bank of Bombay, "with full powers to conduct the inquiry," his attention was given to the 6th and 7th paragraphs of a Minute by his Excellency the Governor of Bombay, dated the 15th of August, 1867, in which he declared that—

> "No investigation by a Commission can be complete, unless that Commission has power to compel the attendance of witnesses, the production of papers, vouchers, and books, and to examine on oath;"

and that—

> "An Act of the (Bombay) Legislative Council might give these powers within the Presidency only; an Act of the Legislative Council of the Governor General would give the more extended power throughout India; but neither would enable the Commission to examine parties in England, where, perhaps, the most important evidence might have to be obtained, and without which the inquiry could not be said to be complete;"

and, if so, whether he has taken any steps to empower the Commission, appointed in pursuance of his instructions, to examine or to procure the examination on oath of witnesses in England?

SIR STAFFORD NORTHCOTE said, in reply, that his attention had, of course, been directed to the observations which had been made upon this subject by the Governor of Bombay, and he was also perfectly aware that the duties of a Commission of Inquiry could not be properly carried out without legislative powers. He very much doubted, however, whether it would be necessary to give compulsory powers with reference to the examination of witnesses in this country. He had recently received a telegram from the Viceroy of India, who stated that he proposed to introduce a Bill in the Legislative Council with a view to giving to the Commission more extended power throughout India. The Viceroy also requested that he (Sir Stafford Northcote) would nominate one member to serve on the Commission, and he had accordingly nominated Sir Charles Jackson. He had further telegraphed to India and requested to be furnished with the names of the members of the Commission, but he had not yet received an answer. Considering that the Commissioners would find all records and books in India, and that nearly all the witnesses were in that country, it would probably be unnecessary to confer upon them powers for the examination of witnesses in England.

MR. J. PEEL said, he would beg to ask the Secretary of State for India, Whether the Act of 1863, which is said to have led to the mismanagement and failure of the Bank of Bombay, was not submitted to and approved by the Secretary of State for India before it was passed by the Council of Bombay?

SIR STAFFORD NORTHCOTE replied that it had not been submitted to the Secretary of State before it passed the Council of Bombay; but after it had been passed by the Council and had received the sanction of the Governor General it was sent home. It then appeared to have been reviewed by the Secretary of State, who wrote to India to say that he saw no reason for disallowing the sanction which the Act had received at the hands of the Viceroy.

## STRIKE OF COLLIERS IN THE WIGAN DISTRICT.—QUESTION.

MAJOR ANSON said, in the absence of his noble Friend (Lord Elcho), he would beg to ask the Secretary of State for the Home Department, Whether there is any truth in the report that the Magistrates and Police Authorities of Lancashire had been unable in the Wigan district to protect workmen from assault, and that they have through violence and intimidation been forced to leave their employment; whether it is true that trains conveying these workmen have been attacked with stones and slag, to the bodily injury of the passengers; and, if these reports be true, whether he can explain the cause of the failure on the part of the Magistrates and Police Authorities of Lancashire to give that protection to workmen which every citizen has a right to expect in a free and well-ordered State?

SIR JAMES FERGUSSON, said, in reply, that he feared that it was true that the occurrences alluded to in the Question of the hon. and gallant Member had taken place, and that many workmen had been deterred by violence and intimidation from pursuing their employment. No special information had been received as to the acts of violence referred to, but it was not unlikely that the particular instance had occurred. He was unable to give satisfactory explanation of the reasons why better protection had not been afforded to those workmen and labourers; because it was only yesterday morning that it was learnt at the Home Office that the protection given to the colliers during the long strike had been discontinued. A deputation of colliery owners called upon the Secretary of State and complained that the protection afforded to the workmen had been withdrawn, and that not only were many of the workmen who had accepted the wages proposed by the masters compelled to return to their homes, but there appeared to be danger of the strike extending to other works. The Secretary of State telegraphed to the Chief Constable and to the Mayor of Wigan to know whether they had sufficient force at their command to protect the workmen in the discharge of their duties. The reply from both quarters being unsatisfactory, the Secretary of State immediately requested that detachments of troops should be sent to Wigan, and these troops were sent on in the course of the afternoon. By the direction of the Secretary of State he had written a letter to the Clerk of the Peace for the county of Lancashire, which was to be read at the Quarter Sessions, expressing a hope that the Magistrates would do all in their power to protect the workmen and preserve the public peace, and promising that whatever other assistance might be required should be given.

## SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now tleave the Chair."

## INSURRECTION IN CRETE.

### MOTION FOR AN ADDRESS.

Mr. MONK: Mr. Speaker—Sir, it will doubtless be in the recollection of the House that early in last year the hon. Member for Galway brought forward a Motion in reference to the disturbed state of Servia and of Crete, and in a very able and temperate speech called the attention of the House and of the Government to the unhappy condition of the Christian subjects of the Porte in the Island of Candia. I am deeply sensible of the disadvantages under which I lie in approaching a subject which has been so ably treated by my hon. Friend, and which has risen considerably in importance during the past twelvemonth. I can only throw myself upon the indulgence of the House, feeling sure that that indulgence will not be asked for in vain. There is, however, one difficulty under which the hon. Member for Galway laboured last year from which I feel myself altogether relieved. I allude to the apprehension, which he then felt, lest any expressions of sympathy with a suffering Nationality uttered in this House should raise false hopes which might tend to prolong what was then considered by many to be a hopeless contest. For more than eighteen months the struggle for independence has been carried on in Crete, and unless the Great Powers intervene it seems likely to be indefinitely prolonged. In the meantime the non-combatants have for the most part left the island, and vast numbers of women and children have been removed, so that on the ground of humanity there is no longer any cause for further reticence on our part. During the past year subjects of great national importance have so fully occupied the time and attention of Parliament, that the affairs of Crete seem almost to have escaped our notice; yet from time to time the atrocities committed in that unfortunate island have furnished occasion for questions in this House, and in November last a voluminous blue book was issued by the Foreign Office on the subject, and presented by Her Majesty's command to Parliament. No one can, I am sure, rise from a perusal of that blue book without feeling convinced that the insurrection had assumed far larger proportions, and a much more formidable aspect, in the autumn of last year than it had at the time when the subject was discussed in the early part of 1867; and, judging from the latest accounts received from Constantinople and from Athens—let me add, from no Philhellenic sources—I see no probability of an early cessation of hostilities.

In the debate which ensued on the Motion of the hon. Member for Galway (Mr. Gregory), the noble Lord the Secretary of State for Foreign Affairs, while claiming credit to the Government for its sympathy with the Christian races in the East, expressly declined to give a semblance of encouragement to a hopeless insurrection, or to compromise the Government or the Cretans by a precipitate or premature action. And shortly before the Easter Recess the noble Lord, in reply to the hon. Member for Louth, who inquired whether tranquillity might be considered to be now re-established in Crete, said—

"The true state of matters seemed to be that the insurrection had dwindled down to very small proportions; but it would be premature to say that tranquillity had actually been re-established."

Now, Sir, notwithstanding that reply of the noble Lord, I shall venture to ask him, before I sit down, whether he deems the insurrection to be absolutely hopeless; and, if not, whether he does not think that the time has arrived when a more decided action on the part of Great Britain, in concert with the other protecting Powers, would be neither precipitate nor premature? For my own part, I believe that the Porte cannot re-conquer Crete. Such, too, appears to have been the opinion of our Ambassador at Constantinople so long ago as in February, 1867. That opinion was conveyed in a despatch to the Secretary of State, which by a singular coincidence reached the Foreign Office on the very day upon which the noble Lord stated his belief that the insurrection was a hopeless one, though perhaps at that time the despatch may not have reached his eye. Lord Lyons writes from Constantinople, February 6, 1867—

"I did not conceal from Aali Pasha that I was far from being as sanguine as he was with regard to the success of the Porte in restoring tranquillity in Crete and satisfying the Christian inhabitants by the measures he contemplated."—[*Blue Book*, p. 8.]

But I will quote a much later authority—perhaps almost as high an authority as Lord Lyons himself. The able and distinguished correspondent of *The Times* at Athens, who is known personally to some, by name and reputation to many, hon. Members, writing from Athens in January last, says—

"The pacification of Crete is not likely to be the work either of Turkey or of Greece. It must be brought about by the political influence of the Great Powers, and by the public opinion of Europe."—[*Times*, February 8, 1868.]

Again, on the 17th of March, he writes—

"Skirmishes frequently occur between the Mussulman Greeks of the island and the insurgent Christians, but the Ottoman troops have generally remained inactive during the winter, and almost all the volunteers from Greece have returned, on account of the difficulty of procuring subsistence where war is carried on without depôts or discipline. There appears to be no immediate prospect of a termination of hostilities."—[*Times*, April 8, 1868.]

Once more, on the 25th ultimo—

"The affairs of Crete continue in the same position. Blockade running is kept up, and the emigration of Christian families continues. The proportion of men who emigrate is now considerable, judging from the numbers that are seen at Athens."—[*Times*, April 9, 1868.]

Let us, then, consider for a moment what has been done during the past year towards the re-conquest or pacification of Crete. Has Turkey been able to maintain the blockade of the island? Why, Sir, the *Arcadi* made no fewer than twenty-three blockade-running voyages before she was captured and destroyed. The *Enosis* has made a score of successful voyages; and her consort, the *Crete*, is running with the regularity of a mail steamer between Syra and Candia. In the *Pall Mall Gazette* of the 11th ultimo, I find the following, from Constantinople, written on the 29th of February:—

"The subjection of Crete appears to be as remote now as when the Grand Vizier went on his mission. Omer Pasha openly expresses his opinion that it is perfectly hopeless to expect any success against the insurgents as long as the blockade is carried on in its present manner. It is certainly astonishing that a force of upwards of thirty vessels of all classes cannot in some way intercept the single blockade-runner, which keeps up communication with the island with the regularity of a Mail Service."

The insurgents themselves, who, since the removal of the inhabitants of the lowlands and of their wives and families, are almost entirely confined to the Mountaineers and Volunteers—the latter being very few in number—ridicule the notion of surrender. They thoroughly distrust the Turks, and will not even hear of autonomy. Annexation to Greece alone will satisfy them. The House is aware that in January of last year the French Government strongly recommended the cession of Crete. Mr. Fane writes from Paris, on the 24th of January, 1867, that the Marquis de Moustier said that—

"He had now come to the conclusion that it would be far better for the Porte to give up Candia than to seek to conciliate the Christian population by giving some form of local autonomy to the island. He believed that the country was lost to Turkey, and that it would be better for the Sultan to accept this conclusion than to grant concessions which would not permanently reconcile the population to Turkish rule, while they would form a precedent on which every part of the Turkish Empire might found a claim to quasi independence. Crete, his Excellency said, had become a permanently sore limb of the Empire, and it was better to amputate it than to allow it to form the nucleus of gangrene, which might spread to every part of the Empire. . . . . . He felt convinced that the course he had suggested was the wisest which the Sultan could adopt. He added that, if he were himself in the Sultan's position, he would not hesitate also to abandon Thessaly."—[*Blue Book*, p. 2.]

To that policy, Austria, Prussia, Italy, and Russia gave in their adhesion in the course of last year. But, writes the noble Lord, in reply to Mr. Fane, referring more particularly to a conversation he had held with the Prince de la Tour d'Auvergne respecting the cession of Crete—

> "Nor could I conceal from him my opinion that the Porte, having, as it believed, put down by force of arms the insurrection directed against its authority, would at once, and decidedly, refuse to sacrifice a province which it had re-conquered at the cost of so much blood and treasure."—[*Blue Book*, p. 3.]

I must confess that the words of the noble Lord somewhat surprised me. More than a year has elapsed, and what progress has been made towards the re-conquest of Candia? What, in short, has been the policy of the Porte? Declining to listen to the Great Continental Powers, who recommended a Mixed Commission of Inquiry for Candia, and rejecting with disdain the proposal of local autonomy, the Porte sent the Grand Vizier himself to Crete. The mission of Aali Pasha, as the House is aware, and as might have been expected, turned out a complete failure. In his celebrated Proclamation of November last what are the means which he proposes for the pacification of the island, and for redressing the wrongs and grievances of the Christian inhabitants? Does he propose any organic reforms? Any measures for the amelioration of the condition of the Christians? Nothing of the kind. The "Instructions for the Commanders of a Military Circle," which are appended to, and form part of, the Proclamation, commence with a statement that is palpably untrue. They then proceed to breathe forth destruction and utter extermination against all who still continue in arms against the authority of the Porte.

"The Candian insurrection" writes Aali Pasha, "no longer exists." Let the House bear in mind that these words were written at the end of October last—

> "The Candian insurrection no longer exists. Those who are at this moment maintaining the disorder in the island, and are preventing a portion of the inhabitants from peaceably devoting themselves to their labours, consist of bands of foreign and native brigands, which it is necessary to destroy, whilst effectually protecting, by God's help and under the auspices of our august Sovereign, the citizens who have submitted against their destructive incursions." — [*Blue Book*, p. 303.]

Are these words of conciliation? Are they words of wisdom, or even of common prudence? Are they calculated to inspire the Cretans with confidence in their rulers? Is it too much to say of the Turks?—

> "Quos Deus vult perdere, prius dementat."

It has, however, been alleged that certain of the Great Powers have been playing fast and loose with the Cretan question. It may be so. I neither affirm nor deny it. This seems to me to be neither the time nor the occasion for discussing the motives of the other Powers. But so far as Great Britain is concerned, I must do the noble Lord the justice to say that there has been no vacillation, no temporizing on his part. The policy of the Government of Great Britain has been the same in 1867 that it was in 1830—namely, to preserve Candia to the Turks, and to uphold by means of moral support the tottering sway of the Porte over an island, which is a source of weakness to it, and of real danger to its very existence. But I will not take up the time of the House by recurring to the wrongs inflicted upon this unhappy island, by means of foreign diplomacy, in preserving it to the Turks in 1830. That policy was commented upon at some length, and in terms of just severity, by the hon. Member for Galway in the discussion of last year. The memorable protests of Earl Russell and of Lord Palmerston in this House will never be forgotten—

> "Let Candia remain in the hands of the Turks, and what probability was there that the Greeks in that island would remain patient under that yoke which their brethren had shaken off?"—[2*Hansard*, xxii, 563.]

Truer words were never spoken in this House. The prophetic speech of Lord Palmerston has been fulfilled to the very letter. At the same time, I admit that it is impossible for statesmen to disconnect or dissociate the Cretan insurrection from the Eastern question. In all human probability the solution of that momentous question cannot be postponed for many years. The march of events is as rapid as it is sure. Great Britain alone of the Great Powers has endeavoured to stave it off by opposing the views of France and of Russia as to the settlement of the Cretan question. The Government may have been perfectly justified in opposing those views, and in refusing to offer any advice to the Porte, the adoption of which might possibly lead to the dismemberment of the Ottoman Empire; but I venture to think that the Foreign Secretary is scarcely justified in withholding from Parliament the important State documents, written by Prince Gortchakoff, for which I am about to move. Those despatches contain the views of Russia, not only on the Cretan question, but on the condition of the Christians throughout Turkey, and a sketch of the measures which Russia deems necessary for the amelioration of their condition. I have privately given to the noble Lord the Secretary of State for Foreign Affairs a list of those State Papers. The first has reference to the probable consequences of the Cretan insurrection; the next, to the necessity for immediate action on the part of Great Britain; the third to the condition of the Christians in Turkey; and the fourth contains the Russian view of the reforms necessary to ensure progress and tranquillity in Turkey. I am surprised that those documents should have been suffered to remain in the pigeon-holes of the Foreign Office at a time when a heterogeneous mass of Papers was being presented to Parliament on this subject. It is true that we have had Consular Reports from all parts of the Ottoman Empire on the condition of the Christian subjects of the Sultan. Some of them contain valuable information; but I regret to add that a perusal of them can leave no doubt in any impartial mind that—in the words I believe of Lord Lyons—

> "The status of the Christians in the Empire is still very far from what it ought to be," and that the "administration of justice is not only faulty, but oppressive to Mussulmans and Christians alike."

In the debate of last year my hon. Friend the Member for Southwark (Mr. Layard) expressed a desire to see a Consular Report from Crete, in order that he might ascertain whether the complaints of the Cretans were justified or not. With the permission of the House, I shall be happy to gratify my hon. Friend by reading an extract from the Report of Consul Dickson, and I trust that he will find it satisfactory and conclusive on that point. It is written from Canea, on the 4th of April, 1867—

> "With reference to the subject under consideration—namely, how the stipulations agreed upon by the British Government and that of Turkey in regard to the treatment of the Christian subjects of the Sultan have been observed in Crete—it behoves me, in replying to this question, to recur to the state of the island anterior to the insurrection, which has since placed the whole land under exceptional circumstances as to its administration. I can, moreover, only offer such remarks on this head as my short experience of the island itself enables me to make.
>
> "The very fact of Delegates having in the course of last spring been elected by the whole Christian population of the island, for the purpose of peaceably deliberating in general assembly upon the legal course for obtaining redress to certain grievances preferred against the Government (a practice somewhat similar to that adopted in ancient time under the denomination of 'syncretism'); the catastrophe that has since ensued by non-compliance in due time with the popular demands, or, at any rate, by the Porte withholding some suitable concessions at so critical a juncture; on the other hand, the allegation put forth by the authorities that the true source of such discontent must be rather attributed to the innate Hellenism with which the Cretan Christian population are imbued, fomented as this sentiment continually is by agencies at work on the adjacent land of Greece, besides the many political changes in a liberal sense which have of late years been wrought in Europe; all the above stated circumstances, I regret to add, only convince me the more that the treatment of the Sultan's Cretan Christian subjects has not been such as might be desired, or even in strict accordance with Treaty provisions. I shall not recapitulate the several grievances specified in the petition to the Sultan (of which a copy was forwarded in my despatch of the 9th of June last year), and which I consider to be in a great measure well founded, yet, as I distinctly declared to the Cretans at the time, by no means to such a degree as ought to provoke insurrection.
>
> "I may briefly state that I ventured on several occasions to suggest to the authorities the expediency of the Hatti-Houmayoum of 1856 being fully carried into effect not only in Crete, but, as I took the liberty of observing, throughout all the Christian provinces of the Empire."

In the despatches of Prince Gortchakoff remedial measures are proposed. Those despatches have, I understand, been published in the *Journal de St. Petersburg.* I trust there is no bar on the plea of diplomatic etiquette to their production, as I believe them to be essential to Parliament and to the country in order to enable us to understand the true connection between the Cretan Insurrection and the policy of our Government and the interests of Great Britain.

In February of last year the Foreign Secretary, in tendering friendly advice to the Porte, utterly repudiated all idea of interfering with the right of the Porte to exercise an independent judgment in its internal affairs. I certainly do not blame the noble Lord for that expression of opinion; but I ask the House to mark the result. Aali Pasha and the Council of Ministers at Constantinople, relying upon the support of Great Britain, declined, as I have already stated, to send to Crete a Mixed Commission of Inquiry, upon which the Great Powers would be represented, and refused to grant the mild measure of local autonomy, which had received the sanction of the noble Lord himself. Mr. Elliott reported from Constantinople that Fuad Pasha thought that autonomy would be attended by infinite difficulties, and that it would be only the first step towards annexation to Greece. Well, Sir, I believe that the Porte would have acted wisely if she could have prevailed upon herself voluntarily to cede Candia, as Great Britain ceded the Ionian Islands, to Greece. So late as in August last, I incline to think that a solution of the Cretan difficulties might have been found by the grant of local autonomy under a Christian governor. Now, I fear, it is too late. The impassibility of the Porte exceeds belief.

Is it, then, to be wondered at that the five great Continental Powers should have presented an Identic Note last summer, protesting against the blind suicidal policy of the Porte? Is it surprising that, seeing the inability of Omer Pasha to restrain the recklessness of his soldiers, they should have sent vessels of war to take away the unarmed villagers of the lowlands, and especially the unfortunate women and children, out of the reach of their brutality? I honour them for so doing, and I blush to think that Great Britain alone stood aloof from that act of charity.

I would gladly have passed over in silence the Consular Reports of the murders, violations, and outrages committed during the past eighteen months upon the Christian inhabitants of the lowland villages, who had taken no part in the insurrection. But it is impossible to do so. The blue book literally teems with them. I am willing to make large, very large, deductions on account of the national antipathies of our Consular Agents, the Messieurs Calocherino. But enough, far more than enough, remains on the higher authority of our Consul, Mr. Dickson, and of Lieutenant Commander Murray of H. M. ship, the *Wizard*, to make one's blood run cold. I can scarcely bring myself to believe that Omer Pasha and his chief officers were present and took part in the burning of villages—in the destruction of churches—the cutting down of vineyards and oliveyards—the murder of unarmed and aged men, and the violation of women—but I maintain, and I am ready to prove by irrefragable testimony, that they took no steps and did not endeavour to prevent those crimes. Lieutenant Commander Murray writes to Vice Admiral Lord Clarence Paget from Canea, July, 22, 1867—

> "The reign of terror which has long threatened, has become a fearful reality. Parties of Bashi-Bazouks, who have given up service with Omer Pasha (not finding it sufficiently remunerative), scour the country, and put to death any man, woman, or child they find."

The Acting-Governor, Server Effendi,

> "Was obliged to confess that the Government is powerless to prevent these atrocities from taking place, nor do they care to prevent them, for the Turks now openly avow their intention of killing all the Cretan Christians."—[*Blue Book*, p. 238.]

Again he writes, August 4—

> "In the towns of Candia, Retimo, and also in this town (Canea), there are organized fanatical bands who call themselves 'Zoreda' (weazels), who leave the towns at night and murder any Christians they can lay their hands on."—[*Blue Book*, p. 257.]

Consul Dickson writes to the Secretary of State for Foreign Affairs, July 26, 1867—

> "The brutalities lately committed on Christian women and children defy description."

And he proceeds to speak of

> "The inability and apparent reluctance of the authorities to do justice, and thus prevent similar outrages being repeated."—[*Blue Book*, p. 221.]

The chief perpetrators of these atrocities appear to be Cretan Mussulmans, who joined the Turkish army as irregulars, or Bashi-Bazouks, on the first breaking out of the insurrection, and whose chief occupation from that time to the present has been to wreak their vengeance on the helpless, inoffensive lowland villagers and on their unhappy wives and families. But I will spare the House the pain of listening to the details of the outrages as related in this blue book. At the same time, I will take leave to remind the House that these atrocities are not merely isolated acts—they form part of an organized system not now for the first time practised by the Turks, and which the Porte is either powerless, or does not endeavour to repress. Some hon. Members may have read the interesting work on Greece written by the late Minister of Greece in this country, M. Tricoupi. Let me ask them to recall to their recollection the affecting chapter on Scio. The atrocities committed by the Turks upon the inhabitants of that unhappy island in 1822 defy description. For weeks the whole island was one continued scene of murder, conflagration, and plunder. The same atrocities have been committed in Candia, and the authorities have done nothing to prevent them. I feel strongly on this subject, Sir, and if I make use of strong terms, I can assure the House that it is not without cause. I have heard the heartrending details of the massacre of Scio from one who was residing in the island at the time, and whose father, father-in-law, and brother-in-law—having voluntarily entered the citadel as hostages of war—upon the distinct assurance that their lives and persons should be respected, and that not a hair of their heads should be injured—were brutally murdered in cold blood by the Turkish authorities. With such traditions as these, is it surprising that Turkish promises are regarded as valueless by the Cretans? Have their promises been kept hitherto? Why, Sir, it is notorious that the Hatti-Houmayoum has been a dead letter in Candia, and that there is protection neither for life nor property in the island. The Grand Vizier's Proclamation was a mere string of empty words. It was thoroughly worthless—aye, worse than worthless; it was a positive insult to the oppressed. The insurrection, as might have been expected, broke out with fresh vigour almost before the six weeks' armistice had expired, and with much greater chance of success, since the women and children had been removed, and none remained save those who were determined to obtain their independence or to perish in the attempt. It does not require the spirit of prophecy to foretell that the efforts of the Porte to stamp out the insurrection by means of military circles must be futile and ineffectual in the mountainous districts. I think, then, that I am justified in asking the noble Lord whether he is not of opinion that the time has arrived when Great Britain might take a more decided action, in concert with the other protecting Powers, with a view of putting a stop to further bloodshed by advising the Porte either to grant such concessions to Crete as would make it a happy province, or to cede the island to Greece. Is England always to stand aloof while the other Great Powers are practically showing their sympathy with suffering and oppressed nationalities? It is unnecessary for me to remind the noble Lord that he has left open a door for England to recommend the Porte to abandon the contest, when success seems hopeless. He has stated that he would not oppose the cession of Candia, if the Porte were willing to agree to it. In a despatch to Lord Cowley, dated March 27, 1867, the noble Lord writes—

> "Doubtless it would be competent to us, and it would be our duty, to advise the discontinuance of bloodshed, if it were clearly proved that the re-conquest of the island was impossible; but Her Majesty's Government had no information which could justify them in pronouncing that the cause of the Porte in Crete was hopeless, and unless they were convinced that it was so they must let matters take their course."—[*Blue Book*, p. 56.]

I trust that I have shown sufficient cause for more active interference on the part of the protecting Powers.

Before I conclude, I will ask the permission of the House to read a short extract from a letter of the Plenipotentiaries of the three protecting Powers to Prince Leopold, afterwards King of the Belgians, at the time when the Crown of Greece was offered to him—

> "In case the Turkish authority should be exercised in a manner offensive to humanity"—in Candia or in Samos—"each of the allied Powers, without however entering into a special or formal engagement to that effect, would deem it its duty to interpose its influence with the Porte, in order to assure to the inhabitants of the above-mentioned islands protection against arbitrary and oppressive Acts."—[*Annual Register*, 1830. p. 304.]

In conclusion, I will express a hope that the noble Lord will, on the part of Her Majesty's Government, acknowledge the responsibilities of this country towards the unhappy Cretans, whose heroism and perseverance under the greatest trials and difficulties merit something more than mere sympathy from the Government and people of Great Britain. I trust that the noble Lord will grant the Papers for which I am about to move, and that he will afford Parliament and the country every facility for forming a deliberate opinion, not only on the Cretan difficulties, but on the Eastern question—which is even now looming in the distance—by laying upon the table of the House every document and State Paper which may aid us in forming a sound judgment upon this important subject.

MR. GREGORY seconded the Motion.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give directions that there be laid before this House, Copy of any Despatches or Correspondence between the Russian Government and the Foreign Office on the subjects of the Insurrection in Crete and of the condition of the Christians in Turkey in the years 1866 and 1867,"—(*Mr. Monk,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR FRANCIS GOLDSMID: Sir, although the Papers to which attention has been called appear to me to suggest considerations very different from those which have occurred to my hon. Friend the Member for Gloucester (Mr. Monk), yet I should not on that account alone have asked permission to address the House. My principal reason for desiring to do so is, that at this moment—when hon. Members are invited, for the sake of humanity and of religious freedom, to express opinions in favour of the separation of Crete from Turkey, and its annexation to Greece—I am anxious that those to whom this invitation is directed should not shut their eyes to the light of experience ; should not forget that other experiments, similar to that now recommended, have been tried under more favourable conditions, and have produced, with reference to humanity and to religious freedom, most lamentable results. That the House will forgive me for that anxiety, I am certain ; because of those lamentable results thousands of men of my own race and creed have been among the first victims, and they, entertaining the exaggerated ideas which in some distant places prevail, as to the power and influence of a Member of this Assembly, have repeatedly applied to me, and, although I have done what I could, have, I regret to say, applied to me almost in vain, to aid them in their misfortunes.

But before I proceed to the subject to which I principally desire to direct attention, I may perhaps be permitted to make a few observations as to Crete itself. Now, in the first place, I would remark, that it is not fair to judge of the Turkish Government by acts of barbarity committed by its soldiers, not exceeding, probably, those of which the other side have been guilty during the insurrection. Wars have seldom been the best schools of humanity, nor is it to be expected that civil war, or above all, an insurrectionary war, should be a favourable exception to the rule. A more correct opinion will be formed of the Turkish Government by considering what it did at a period anterior to the insurrection, and whether it has or has not displayed a conciliatory disposition at those times in the autumns of 1866 and 1867, when it too sanguinely believed that the rebellion was on the eve of being put down. If, without travelling back forty years or more as has been done by my hon. Friend the Member for Gloucester, we recur to Consul General Longworth's Reports of 1858, which have lately been re-printed, we shall learn from that dated 20th of August of that year, that the Turkish Governor, Vely Pasha, made great exertions for the benefit of the island by encouraging trade, improving the harbour, and promoting the building of churches, schools and hospitals. I would especially call attention to the fact, as indicating an absence of anything like bigotry, that he gave money out of his own pocket for the erection of churches. If the aspirations of my hon. Friend and other Philhellenes should be fulfilled ; if Crete should be separated from Turkey, and united to Greece, we shall, I apprehend, have to wait some considerable time before we see a Greek Governor take out of his own purse money for building a Mahomedan mosque. Among the measures adopted by Vely Pasha for improving the island, was the making of roads, and at first the Cretan Christians were enthusiastic for the accomplishment of his plans—

> "But when it was seen that the roads could not be made without labour or pecuniary sacrifice, they turned round and opposed them, and there was no abuse too violent or fiction too absurd which they did not lavish on everybody connected with them. Under the Hatti-Houmayoum Turks were permitted to turn Christians, and — what did not please the Cretan Christians quite so much—Christians were allowed to turn Turks. These people, who are always talking of Turkish fanaticism, now sought to trample on it with a fiercer fanaticism of their own. Not content with fair proselytism, they resorted to the most scandalous means of making converts."

Vely Pasha had intended to apply the whole of a sum of money received from Egypt for the benefit of the island in building a Greek church—

> "But indignant at these excesses he now decided that the funds should be distributed among the schools and hospitals of all Christian sects indiscriminately. The Greeks were much incensed at this."

It is thus made clear that the Christian Cretans were scarcely more fanatical against the Turks than they were against one another. Let us now pass on to those periods in the autumns of 1866 and 1867, when the Turkish Government thought that it was on the point of putting down the insurrection. In November 1866, the Turkish Government offered an amnesty. In the autumn of 1867 they offered a project of reforms, which the Cretan Christians, it is true, rejected, but which the noble Lord opposite (Lord Stanley), in his despatch of the 25th of October, characterized, and I believe correctly, as amounting very nearly to a concession of local autonomy, and as including the most important point—equal rights for Mussulmans and Christians. The Turkish Government also, without waiting for the acceptance of its offers, set free, as is distinctly stated by Consul Dickson on the 12th of October, all political prisoners without exception. Measures such as these surely indicate on the part of the Government much less of fierce tyranny than of anxiety to conciliate its discontented subjects.

But then it may be said, that the dislike entertained by the Cretan Christians for the Turkish Government suffices to show that it is a bad one, and that their happiness would be promoted by the annexation of the island to Greece. Now in the first place it should be borne in mind, that although the Christians form the majority of the population of Crete, there is an important minority of Mahomedans. But even if the Christians only be considered, it is not quite clear from their disliking the Turkish Government that it is a bad one, or that they would be the happier for being freed from it. To be convinced of this, we have only to look at the Ionian Islands. The majority of the Ionians preferred, or at all events they persuaded the Ministry and Parliament of England that they preferred, the bad government of Greece to the good government of England. We did not desire to retain unwilling subjects; their wish, or supposed wish, was complied with; and what has been the result? Examine the Consular Reports laid before Parliament last year; and you will see that in December 1865 the Deputy of Corfu, taking a temporary farewell of the Greek Assembly, declared that his presence among them was useless, and that he could not remain the impassive spectator of the ruin (*égorgement*, or throat-cutting, is his emphatic term) of the Seven Islands and of Corfu at their head. You will see that in September 1866 Consul General Saunders stated that the consciousness of all that Corfu has lost, by its subservience to clamour and intrigue, was too fully impressed upon all reflecting minds to admit of any other than one absorbing feeling of self-condemnation and unavailing regret. But further it may be argued, that even if mere discontent would not suffice to prove the badness of the Turkish rule in Crete, it is proved by the island having been for two years in a state of chronic rebellion. And this would, I apprehend, be true if the insurrection were (to use a phrase which is applied to better things) self-supporting. But no one can bestow any degree of attention on the Papers before us without perceiving that the rebellion would long ago have been at an end, if it had not been kept up from without. An almost constant succession of Greek cruizers has landed in Crete rebel volunteers, and arms, and provisions, and these proceedings have been sanctioned by Greece in open violation of her duties as a neutral. Nor has her interference stopped there. The return cargoes have consisted, not merely of women and children, not merely of the wounded, not merely even of Cretans who were tired of the contest; but peaceable Cretans, who desired to remain where they were, have been carried away against their will from their homes and their native island by their Greek deliverers. This striking fact is not only expressly stated by the Grand Vizier in his circular of the 14th of October 1867, but his statement is confirmed in advance by Consul Dickson, in his letter of the 3rd of the same month. If you desire to know what good Greece has effected, either for herself or her Cretan friends, you have only to look at Mr. Erskine's despatch of the 23rd of October 1867, from which you may learn that to support in a state of semi-starvation the Cretans who had been carried to Greece would absorb one-fourth of the ordinary revenue of the country, and that delegates had been sent to Athens by the Cretan Assembly to intimate to the Hellenic Government that the insurrection must cease, unless Greece would contribute to the prosecution of the war in Crete, and to the support of the Cretan refugees in Greece, sums exceeding half the ordinary revenue of the kingdom. The Government, it appears, despatched to Crete two or three persons of influence, to endeavour to make arrangements for the continuance of the insurrection, on terms somewhat less ruinous to Greece. Why all this was permitted by Turkey is obvious enough. The Papers show clearly, I think, not only that she would have put down the rebellion if she had had to deal with Crete alone; but that if she had had to deal with Crete and Greece alone, she would have declared war against the latter, and have put an end at once to the Cretan insurrection and the kingdom of Greece. But Turkey was aware that the protecting Powers were behind, and would not allow Greece to be attacked. This is very plainly stated by Mr. Lloyd, the Consul at Syra, in a despatch of the 3rd of February, 1867. Now, it might have been expected that, if the great Powers were resolved to guard Greece against what would otherwise have been the consequences of her shameless breaches of International Law, they would at least have insisted that those acts should be discontinued. But England is the only Power which has consistently remonstrated against the conduct of Greece. France, indeed, did the same at first, but towards the close of 1866 she entirely changed her line of conduct. Russia has, from the beginning, taken the course—in which she was afterwards supported by France, and, to a certain extent, by Prussia and Italy—of addressing lectures, not to Greece, the wrongdoer, but to Turkey, the party injured—of addressing to Turkey lectures and remonstrances amounting almost to a demand that she should reward her enemy by delivering up to Greece the government of Crete—a step which, considering the large number of Mahomedans in the island, it was impossible for Turkey to take without dishonour. How the Great Continental Powers justify, even to themselves, what they have done, I am at a loss to explain, except by supposing that they have adopted some maxim like the old one which teaches that no faith should be kept with heretics and infidels — some such maxim as this—that the rules of International Law are binding on a Mahomedan State, but that for the benefit of such a State those rules have neither vigour nor validity. Instead of wondering that, under these circumstances, Turkey has failed in putting down the Cretan insurrection, the wonder appears to me to be that she has succeeded in keeping it in check. Let us make the case our own. Let us imagine that Ireland, instead of having England interposed between it and the rest of Europe, had been as easy of access from the Continent as Crete is from Greece. Let us further suppose that, even during the last thirty-five years, when we have been at least endeavouring to improve the government of Ireland, one of the Catholic Powers of the Continent had been constantly sending cruizers to land there rebel volunteers, and arms and provisions, and to take back return cargoes, not only of women and children and wounded men, but of such peaceable and home-loving Irishmen as could be found and carried away against their will. Let us likewise assume that the other Catholic Powers had been in league to prevent us from defending ourselves by attacking our enemy; and then tell me what you think would have been, under such circumstances, our success in preventing a chronic insurrection in Ireland.

I now pass to that part of the subject which was my principal reason for desiring to address the House; and I ask hon. Members, before they sanction or favour the separation of semi-barbarous tribes from the Turkish Empire, to consider well what have been the results of those experiments of the same kind which have already been made. Let us turn to Servia and Roumania. From Servia I believe that the Mahomedans have been driven out; but I have fuller information respecting the condition of the Servian Jews. Under the Turkish rule they appear to have had no great cause of complaint; but the case has been entirely altered since Servia has been practically independent. In 1861 a law was passed, prohibiting Jews from settling in the interior of Servia, and from entering into any trades which they had not already carried on. Even the children of Jews already settled in the country were not allowed to pursue their fathers' trades. Notwithstanding repeated remonstrances from the English, French, and other Governments, continued from time to time up to last year, notwithstanding the favourable disposition of the ruling Prince, and the wishes of the Servian persants, who find that they are supplied with the ordinary articles of consumption by the Jews on better terms than by other traders, the influence of the mercantile class in Belgrade, and other places, who are jealous of Jewish competition, is, as is explained by Consul General Longworth in a despatch of the 10th of August, 1865, as well as in subsequent communications, so great, that this disgraceful law remains unrepealed. In Roumania the condition of things is more serious still. The persecution there affects a Jewish population which is estimated by their enemies at 500,000, and which really exceeds 300,000 souls. By the 46th Article of the Convention of the 19th of August, 1858, under which the present Rouman State exists, it was stipulated that all Roumans, of whatever faith, should be equal before the law, and admissible to all employments, though the political rights of such as were not Christians were left to the discretion of the Legislative Assembly. In 1866 when the Constitution was framed, a clause was introduced for conferring full equality on persons of all religions; but a tumult arose at Bucharest, a riotous mob pillaged the synagogue, and the Constitution was so altered as to exclude all but Christians from political rights. These occurrences appear to have suggested the idea, that a persecution of the Jews would be popular. In May, 1867, the Minister of the Interior, M. Ion Bratiano (formerly a Red Republican), issued to the prefects a circular, by which he attempted to revive, by his own authority, old laws which had been abrogated, forbidding Jews to dwell in the rural districts; and he directed that they should be expelled from farms and inns of which they were lessees or proprietors. He also ordered the police to treat the Jews as vagabonds without the formalities required by law. It deserves notice indeed, as a peculiar characteristic of this Rouman persecution, that men are first driven lawlessly from their homes, and then illegally punished as vagabonds. The circular was acted on with a barbarity quite in keeping with the document itself. Numbers of Jews were thrown into chains; some were imprisoned, others driven from the country. Telegrams were sent to my hon. Friend the Member for London (Baron Rothschild), Sir Moses Montefiore, and myself, and to the Alliance Israélite of Paris, and in consequence of the communications which we made, and of those which the English and French Governments received from their own agents, those Governments offered representations to Prince Charles and his Ministers, which procured some mitigation of the persecution I have described. In June the Court of Appeal of Jassy set aside as illegal the sentence by which three Jews had been condemned as vagabonds. But the circular has never been revoked, and the persecution has from time to time been renewed with the greatest persistency and determination. I will not dwell on the various deeds of oppression of which the Rouman Jews have been the victims; but I will ask permission shortly to mention them, taking first the outrages and acts of injustice committed by the populace and subordinate authorities, and then the intolerant laws and proceedings passed and adopted by the National Assembly and the Government. In June, 1867, more than 200 Jews were beaten and insulted at the very moment of Prince Charles entering Jassy. This is stated by Mr. St. Clair, the British Consul in that city, in his despatch of the 28th of June. In July ten Jews, who were alleged by the Rouman authorities to be vagabonds from Turkey, but who were believed by the Consuls to be natives of Roumania, were carried from Galatz across part of the Danube, and landed in a marshy island where one of them perished in the mud. The survivors were afterwards sent back by the Turkish authorities to Galatz; and in a struggle between the Turkish boatmen, who wished to land the unhappy Jews, and the Roumans who would not receive them, they were all thrown into the water and two were drowned. These facts, which are stated in despatches of July the 16th, from Consul Ward, and July the 20th, from Consul General Green, led to an energetic, but ineffectual protest by the Consuls General of Austria, France, England, Italy, Prussia, and Russia. In October 1867, a wholesale expulsion of Jews from the villages round Galatz took place by order of the Prefect. About the same time the Mayor of Jassy, imitating the Minister Bratiano, revived by his own authority, an old law which had been repealed, prohibiting Jews from keeping Christian servants; and M. Neuschatz, a respectable banker, was fined for disobedience to the Prefect's illegal order. In December, 1867, in consequence of the death of a child at Kalarasch, the mediæval assertion that the Jews used Christian blood in their religious ceremonies was renewed. The Jews of the town were ill-treated, and the synagogue was gutted by the mob. The Government ordered a Commission of Inquiry, the Report of which threw the whole blame of the disturbance on a medical man and a schoolmaster, who had excited the populace, and whom the Government stated to have been arrested; but these mischievous slanderers seem never to have received any punishment. In January 1868, the Jews were accused of having poisoned a monk whohad died at Berlad, and were seriously ill-treated. No redress was afforded, and the Government attributed the mischief, not indeed to any guilt on the part of the Jews, but to their "overbearing behaviour." This is an improvement on the old fable of the wolf and the lamb. In February 1868, the Jews were expelled by the prefect from the district of Vaslin; a list has been sent to me of the names of between twenty and thirty of the families who were thus driven out. In March 1868, M. Lecca, the prefect of the district of Bacao, of whose hostility to the Jews the Government was well aware, expelled a large number. I have a list, which I am assured is incomplete, of the names of nearly 100 of the sufferers, specifying also the names of the communes, and of the owners of the estates from which they were banished. The misery of persons thus thrust out of their homes, at a season which, I am told, was as inclement in Roumania as it was here, may be imagined; and that misery was heightened by the system, which, as I have already noticed, seems to have been adopted throughout this Rouman persecution, of punishing as vagabonds those whom the Government had first driven from their dwellings. For all these acts of oppression on the part of the prefects, the Government must be considered as clearly responsible since they have not only retained in office officials whom, like M. Lecca, they know to be hostile, but have removed those who do not share their persecuting tendencies. This is distinctly stated by Consul Ward, in his despatch of the 16th of July, 1867.

I pass on to the proceedings emanating directly from the Rouman Ministry or the Chamber. In January, 1868, an order was issued by the Government prohibiting Jews from being contractors, or bidding at Government auctions. In February, a law was passed imposing on Jews, in common with the other inhabitants of the country, the obligation of military service, but disqualifying the former for any rank in the army. On the 24th of the same month, on a petition being presented from the village of Hangou, complaining of the conduct of some Jewish innkeepers at that place, the Chamber voted at once, and without even an inquiry into the truth of the complaint, a resolution requesting the Minister of the Interior to put into execution the laws (which by the way do not exist except in the imagination of the Chamber and of the Government) for the expulsion of the Jews from all the rural districts. In March, 1868, the President and thirty other Deputies, forming about one-fifth of the Chamber and belonging to the Ministerial party, presented a project of law which carries us back to the times of our own Henry III. and Edward I., and indeed exceeds, in its mixture of absurdity and cruelty, the barbarous statutes of that remote period. I cannot venture to occupy the time of the House by reading the Preamble, but I may perhaps be permitted to give a few specimens of its allegations. It states—among much other rhodomontade—that 500,000 Jews have invaded Roumania, and created a compact colony which has acquired a monstrous monopoly, and completely destroyed the commerce and retail trade of the native population; that the concentration of capital in their hands has created a monetary crisis ; that the Jews have monopolized food and drinks ; that the Roumans are forced to consume the food and drinks prepared by the Jews, while the Jews refuse with disdain those prepared by the Roumans; that the Jews of Spain, England, France and Austria, are neither Spaniards, Englishmen, Frenchmen nor Austrians, but only Jews ; that the nationality of any people is obscured if it allows itself to be isolated by foreign and heterogeneous groups, and that when national union is thus menaced, the public liberties become mere chimeras ; that the Rouman State is tolerant towards the free exercise of all forms of worship, but that it cannot shut its eyes to the morality of a religion of which it is the principal object to ruin the highest interests of the nation ; and that the legislators of other countries have been equally with themselves obliged to put an end to the evils caused by the Jews.

The enacting part of the proposed law is worthy of the Preamble. The 1st Article prohibits the Jews from establishing themselves in town communes without permission from the Communal Council, and from settling even temporarily in the rural communes under any pretext whatever. The 2nd Article declares Jews disobeying the 1st to be vagabonds. The 3rd forbids Jews to hold any real property either in town or country, and declares that on any attempt being made to purchase or sell for them any such property, two-thirds of the price shall be forfeited to the local charitable institutions and the remaining third to the informer. The 4th imposes severe penalties for the infraction of the 3rd. The 5th prohibits the Jews from taking leases of lands, inns, mills, distilleries, vineyards, or stables for cattle, and from undertaking anything connected with the State, or any public establishment. The 6th forbids the authorities to entertain any demand emanating from a Jew relative to matters of business prohibited by the 5th. The 7th makes it unlawful for Jews to carry on any trade except by the especial permission of the authorities of the commune. The 8th renders illegal the sale by Jews to Christians of any food or drink; and the 9th suppresses all Jewish communities and committees in the different villages.

The object of those who proposed this outrageous law was of course to drive all Jews out of the country. On the proposal being made, the leading men of the Jewish community immediately telegraphed to their co-religionists in Paris, London, and elsewhere. In consequence of representations made to the Governments of France, England, Austria, and Prussia, those Governments, and also I believe that of Russia, remonstrated against the preposterous proposal, and it has not at present received the sanction of the Chamber. Brought forward, however, by the friends of Bratiano, it has been made to serve his purposes, by enabling him to assume the character of a protector of the Jews, whilst in fact oppressing them. He obtained the consent of the Chamber to the adjournment of the project of law by declaring that its provisions were too violent, but that he was quite aware of the great mischief done by the Jews, and would take effectual measures to put a stop to it. What those efficacious measures were to be, is plain from what has been done by the Prefect Lecca, and from the declarations which have been made by Bratiano to the leading Jews, that such was the state of public feeling, that he must act against their co-religionists and drive them out of the rural communes, or else the population would rise against him. Only this morning I have received a letter informing me that the national guard of Bacno had used the arms, with which they were provided for the defence of their country, in firing into the houses of the Jews.

Such, then, is the condition of Roumania. Compare its Government, or even that of Servia, with the Turkish Government in Crete, so long as the island was not stirred into insurrection by Greece, and who can doubt the superiority of the latter? But to suppose that the state of Crete, if separated from the Turkish Empire, will be similar to that of Roumania, would be to form a conjecture far too favourable. If the semi-civilized Roumans are practising cruel oppression against an unoffending and industrious population with whom they have no cause of quarrel, unless perhaps that the Jews successfully compete with them in trade—what conduct could be expected from the barbarous Christians of Crete, if they became the dominant class, towards the Mahomedans, whose religion has hitherto been that of the Government, and against whom their passions have been inflamed by an obstinate war? Is it not perfectly clear that the hapless Mussulmans would only have to choose between expulsion and destruction? In considering the condition of Turkey, Parliament should never lose sight of two short but most instructive sentences in Lord Lyon's despatch of the 6th of May, 1867—

> "In short, very little progress has been made towards enabling the Christians to feel that the Ottoman Government is, as regards them, a national Government. They submit to it as a less evil than anarchy and confusion, and each Christian race appears to value it chiefly as a safeguard against what appears to be to each the great object of dread, the domination of any of the other Christian races in the Empire."

The appeals to sympathy on behalf of the Christian races which it is desired to free from Turkish rule, appear to me to be in part founded upon a vague idea that it must always be a right and religious thing to take up the cause of those who call themselves Christians, against Mahomedans. I am sure, however, that no such idea will be allowed to mislead this House. The expulsion of the Mussulman from Servia, the prohibition of the Jews from farming and trading in the interior of the same principality, the outrages practised on the large Jewish population of Roumania, the extermination of the Mahomedans in Crete, and in every other part of Turkey which may be separated from the Empire — these are the results of freeing semi-barbarous races from Turkish rule, the actual results of the process so far as it has gone, its probable results if it shall go further. And these consequences I venture to say that you will agree with me in declaring to be consistent neither with Christianity nor morality, with religion nor with right. It would be vain to hope for the immediate establishment in Turkey of what we should consider a satisfactory Government; but the best thing we can do is to continue to afford to the Turkish Empire the support of England, making it a condition of that support that the Porte should gradually, but with more energy than has hitherto been displayed, pursue the course upon which it has already entered, that of improving its rule, and developing the rights of its Christian subjects until they shall have attained perfect equality with the Mahomedans.

MR. BAILLIE COCHRANE said, that the hon. Member for Reading (Sir Francis Goldsmid) in his remarks had wandered over a large portion of Europe, but the question before the House was the state of Crete, not the condition of the Jews in Servia and the Principalities. He was surprised at the observations which had fallen from the hon. Member, knowing his antecedents and the philanthropic views which he usually advocated in that House. On the last occasion when this subject was brought under consideration, he (Mr. Baillie Cochrane) thought that any discussion would be premature, because there was at that time every reason to hope that the war was about to cease, and a discussion under such circumstances was likely to prejudice rather than promote the interests of those whom they desired to serve. When the question of Crete had formerly been raised he (Mr. Baillie Cochrane) thought the discussion of it premature; but a year had elapsed since then, and he regretted to have to concur in the observations of the hon. Member for Gloucester (Mr. Monk), that, if we might credit the reports of eye witnesses, there was little prospect of the war in Crete—he would not call it the insurrection—coming to a close. In one of his able despatches, written to Earl Cowley, April 13, in last year, his noble Friend (Lord Stanley) said he had had a conversation with the French Ambassador here, who represented the views of the French Government to be that Turkey should be induced to cede Crete to Greece. His noble Friend added, in effect, that in the event of the war continuing, or of the area of the war being enlarged, it would be a question for fair consideration whether that advice should not be given to Turkey. A long period had elapsed since then, and the war still continued. It was true that the well-known blockade-runner the *Arkadi* had been taken, but others which had taken its place were introducing ammunition and soldiers, and the war seemed as interminable as ever. Now, he concurred heartily in the policy of non-intervention as contrasted with what had been properly called the "meddling and muddling" policy advocated by the hon. Member for Southwark (Mr. Layard), which had done the greatest harm. But we must consider what our relations with Greece were. Greece was a creation of this country. Along with France and Russia, we stood towards her *in loco parentis*, and we engaged to promote her interest to the extent of our ability. We showed this concern for her well-being when we advanced large sums of money to her and ceded to her the Ionian Islands. We stood, therefore, in a different position towards Greece from that in which we stood towards other countries, and it was a question how far we might not have the right to interfere for the promotion of her interests. Originally it was intended that Crete should become a part of Greece, and when Greece was offered to Prince Leopold he wrote a most interesting despatch to the Duke of Wellington, dated February 9, 1830, in which he pointed out the constant danger from Turkey that would exist if Crete did not belong to Greece. This was one of the causes which induced Prince Leopold to refuse the throne. Then, in a protocol into which we had entered in 1830, the English Government, in conjunction with the Allied Powers, had expressed itself strongly as to the mode in which Crete should be governed by Turkey, and the propriety of affording to the people of that island a sufficient protection against arbitrary and oppressive acts. At that time Crete was almost independent. Only two or three fortresses remained in the hands of the Turks, and it was by the Act of the Three Powers that it was restored to the Turkish Empire, but the initiative was taken by England. We, therefore, had a right when we found what misery prevailed there to do our best, by advice to the Porte, in favour of the people of the country. The hon. Gentleman had cast doubts upon the treatment which the Cretans had received from the Turkish Government. But no one who had studied the Papers which had been presented to Parliament could doubt that there had been an entire violation of faith on the part of the Turks towards those unhappy people. The Hatti-Humayoun had never been fairly carried out. The Consular reports of 1858, though produced at the dictation of an Ambassador who distinctly intimated what he wished them to be, were, nevertheless, very damaging to the Turkish Government. In the East, whether we chose to interfere or not, our influence was paramount. The opinion of this country and of the House of Commons had the greatest possible weight there. He had been much struck by what M. Marc Girardin said upon this subject in the *Revue des Deux Mondes*, October, 1862. These were his words—

> "What is the complaint? In 1840 there was a Turkey and a Turkish Government; in 1862 there remains nothing but England and an English Government. The East can no longer face decrepit, mouldering Turkey, but it has to encounter vigorous and powerful England. Greece, Egypt, Syria, the Lebanon, Servia, the Danubian provinces, no longer look to Constantinople, but to London. Turkey has found the secret of being even more formidable than she was in the 15th or 16th century, by being nothing of herself, and of being everything through England."

We were supposed to have the credit of justifying and upholding the present state of things, but that was not the case, as would be seen by anyone who read his noble Friend's despatches. His only wish now was that we should go one step further than we had already done. He thought that even without joining in a collective note his noble Friend, by his own representations, might do much good. His hon. Friend opposite (Mr. Layard) had himself said—

> "Wherever the Osmanli has placed his foot he has bred fear and distrust. His visit has been one of oppression and rapine. The scarlet cap and the well-known garb of the Turkish irregular are the signals for a general panic. The women hide in the innermost recesses to save themselves from insult; the men slink into their houses and offer a vain protest against the seizure of their property."

And Lord Stratford de Redcliffe, in 1858, wrote thus—

> "Abuses continue to swarm in every department. The prohibition of bribery and corruption is merely on paper; no public example has yet been made of any public functionary accused of these offences. Some charges have been submitted to an inquiry leading to no result. Though mixed tribunals have been established partially, the judicial procedure is still defective and the course of justice impure. The new codes of law which are said to be in progress have yet to come into practice. Commissions have been formed for the amendment of prisons, and a better organization of the post office and police, but no improvement of consequence has hitherto resulted practically from their labours. The fiscal department is quite as irregular and defective as ever."

The opinion of Sir Henry Bulwer would be found in a despatch dated April 24, 1860, and was as follows:—

> "Wherever the Turk is sufficiently predominant to be implicitly obeyed, laziness, corruption, extravagance and penury mark his rule; and wherever he is too feeble to exert more than a doubtful and nominal authority, the system of government which prevails is that of the Arab robber and the lawless Highland chieftain."

Where government was conducted in this manner, it was no wonder that the charges brought against it with respect to Crete should be believed. He warned hon. Gentlemen who wished to understand the condition of the Turkish Government not to be misled by statements as to the progress Turkey was making. We had entered into a solemn engagement with the kingdom of Greece, and to a certain extent with Crete, and we were justified in insisting as strongly as possible that the Turkish Government should become a Government of justice and equality. And now as to the mode in which the war was conducted. The hon. Gentleman who had introduced the subject had read different extracts to show the horrible atrocities that had been committed, and he did not understand how in the face of the Consular Reports they could possibly be denied. Mr. Consul General Dickson, in a despatch to Lord Stanley dated October 15, 1866, said—

> "On the road at the village of Nero-kuru the murdered bodies of a Cretan Greek, his wife, and their son (a young child), and her brother have just been discovered, lying near to a Turkish farm. The woman was stripped naked, and the child's head severed from the body. The tezkereh, or pass, with which the party had been provided by the authorities to insure their free passage through this part of the country was found torn to pieces."

Mr. Erskine, writing in November following, said—

> "One gentleman describes the massacre of 200 persons, chiefly old men, women, and children; and the barbarities committed by the troops as beyond all belief. Another states that the Turks refused all quarter to the Christians, and mercilessly chopped off the heads of the unfortunate wounded, as well as dead; a reward of 100 lira having been offered for each head thus brought to the camp."

It was perfectly extraordinary to contrast the improvement in Greece as compared with Turkey. Since 1821 the population of the Peloponnesus had increased from 398,000 to 600,000, and since 1831 the number of schools had increased from 101 to 1,310. Although the population of Greece, moreover, was but a twentieth part of that of Turkey, its shipping was greater and was increasing, while that of Turkey was declining. Its population had doubled in 38 years, while its revenue had increased from £178,000 to £1,000,000. Its exports and imports had doubled, and its mercantile marine consisted of several thousand vessels. While Greece was thus advancing, Turkey, as had been said, was dying for want of Turks. Of the 200,000 inhabitants of Candia not 20,000 were Turks; of 30,000 in Rhodes only 2,000 were Turks; of 35,000 in Scio, only 1,000; of 50,000 in Mitylene, only 5,000; of 60,000 in Samos, only 10,000; and of 10,000 in Patmos, only 20. In Albania two-thirds of the people were Greeks, and in Thessaly there were only 30,000 Turks to 170,000 Greeks. In Smyrna there were in 1830 80,000 Turks, whereas there were now but 40,000, while the Greeks had increased from 20,000 to 71,000. [Mr. LAYARD asked the authority for these figures.] He was quoting from statistics which had been collected, and he thought the hon. Gentleman would hardly dispute so notorious a fact as that the Turks were decreasing, there being in the whole Empire only 4,000,000 Mahomedans to 11,000,000 Christians. Now, he did not wish to hasten what he believed to be inevitable—namely, the fall of the Turkish Empire; but the best way of retarding that event was to secure justice for the Christian races, and he thought England would be justified in advising Turkey to consider whether, in view of the antagonism existing between the two races, it was not the wisest policy to cede Crete to Greece. He did not blame the noble Lord for declining to join in the Collective Note, but he would appeal to him whether the contingency hinted at in his own despatch had not arrived, and whether in justice and humanity we were not now bound to interfere.

MR. LAYARD said, he was of opinion that debates of this kind caused considerable mischief, by encouraging hopes which could not be fulfilled, and leading to results not desired by any Members of the House, but the present discussion might have a good effect if it elicited from the noble Lord (Lord Stanley) a declaration that the British Government were not prepared to join in the policy pursued by some European Powers in Turkey, and would take no part in the intrigues which were carried on in that country, and which had led to the unfortunate state of things in Crete. The noble Lord deserved great credit for his refusal to share in a policy dangerous to the peace of Europe and prejudicial to the interests of the Christians themselves, and he (Mr. Layard) had reason to believe that some of the Powers had already begun to regret the course they had pursued and to admit that the noble Lord's policy had been more just and statesmanlike. It would be idle to conceal that the Cretan insurrection was part of a system which for some years had been carried on in the East. There was one very powerful State whose policy it was to weaken the Turkish Empire, to render all reforms impossible, and to embitter the relations between the different races, so that the fall of the Empire might sooner or later occur. That Power was well known to be Russia, and Aali Pasha, in the able report on the insurrection in Crete which he had recently addressed to the Sultan, after mentioning the intrigues of Greece and two other causes to which it had been attributed, concluded by saying that there was a fourth, which, more than all others, influenced such things in the East, and which His Majesty would at once recognize by the simple allusion to it. There was no doubt that he referred to the policy of Russia, which was founded on the hypocritical pretence of resistance to oppression and corruption, the vindication of political and religious liberty, the support of nationalities, and respect for treaties. Now, in what country did there exist more oppression and corruption than in Russia—more outrages on political and religious liberty, more contempt for the rights of nationalities, and more shameless violation of treaties? In Poland and among the German population in the Western provinces, as it is well known, and not denied by the Russian Government, there was a systematic attempt to crush the sentiment of nationality and to compel the people to renounce their language and faith. This showed the unreasonableness and injustice of the remonstrances addressed by Russia to Turkey, in which she called upon us to join. It was, in fact, Russia which was bringing about the state of things in the East which had been described. Nobody would contend for a moment that Turkey was well governed, and he had himself witnessed instances of misgovernment and misconduct on the part of Turkish officials. The account of Turkish rule in some of the distant provinces of the Empire which he had written many years ago, and which had been quoted that evening, was perfectly true; but it must be remembered that great changes had since been made, and things which happened then could not happen now. Turkish Ministers would themselves admit that misgovernment still existed, and that it was difficult in so large an Empire to maintain a proper control over all their subordinates, who frequently violated or exceeded their orders. It was only fair that credit should be given to Turkey for what she had really accomplished. The agents for carrying out the policy of Russia in Turkey were Servia, Roumania, and Greece; Belgrade and Bucharest being the centres of the propagandism amongst the Bulgarian population, and Athens amongst the Greeks. The Bulgarians, however, were fairly well governed by Turkey; they enjoyed religious liberty, and they hoped to obtain more from Turkey by remaining obedient to her rule than by rising against her. They were, therefore, on the whole, not ill-affected to the Porte. As for Servia, the hon. Member for Galway (Mr. Gregory), and others who advocated her cause, declared some time ago that if Turkey satisfied Servia by giving up Belgrade and other fortresses, there would be an end to all differences between them. He (Mr. Layard) remarked, however, at the time that no such result could be expected, and, in fact, no sooner had Turkey yielded this point that the Servians renewed their intrigues, and demanded more than they had ever asked before. Armed bands from Servia crossed the Turkish frontier and pillaged not only Mahomedan but Christian villages; and so bad was the conduct of the Servian Government, that France and Austria, who had before supported that Government, were compelled to address very strong notes to it, and he believed he was correct in stating that the noble Lord, although he had declined to join with them in a collective remonstrance, had represented in the strongest terms to the Prince the want of good faith of which he had been guilty in countenancing those bands, and in pursuing a policy hostile to Turkey. Wherever the Turkish Government endeavoured to introduce reforms they were thwarted, for the promoters of the policy to which he referred did not wish to see Turkey well governed, and its population contented. He called in question the statistics of his hon. Friend opposite, and asked where they were obtained, but his hon. Friend did not appear able to state. He spoke, inadvertently no doubt, of the population of Turkey as being 15,000,000 or 16,000,000. It must be inferred that he meant Turkey in Europe only, because the population of the whole of Turkey was much larger. His hon. Friend seemed to forget that he must eliminate 5,000,000 or 6,000,000 of Christians, including 4,000,000 of Roumanians, from the populations under the direct rule of the Sultan, which would leave about 10,000,000 for the number of the inhabitants of what might properly be called Turkey in Europe. There were, however, no accurate statistics on the subject. There were various high authorities who reckoned the Turks or Mahomedans of Europe at considerably above 5,000,000, and the Turks considered themselves as more numerous. It was a great and mischievous error to assume that all the Christians in Turkey were Greeks. His hon. Friend spoke of the population of Albania as consisting of one-third Turks and two-thirds Greeks; but a very large portion of the population of Albania was Greek neither in race nor religion; the Christians were for the most part Catholics, and of a different race altogether from the Greeks. [MR. BAILLIE COCHRANE: I said they were the Christian population.] The Christian population was divided into more than one sect, whilst the Mahomedans were homogeneous. As regarded the revolution in Crete, we knew full well that was brought about almost entirely by the agents of the Greek Government. No doubt the Cretans may have had causes of complaint. He was not in a position to state whether the Turks could have carried out the Hatti-Humayoum; but still a great deal had been done, and certainly the island had not been ruined under Turkish rule. Among various mis-statements made by the Greeks was one that he saw the other day quoted by some one writing in *The Times*. It was to the effect that the island of Crete had been depopulated by the Turks; that before the Turkish conquest the population amounted to 800,000, and that it was owing to its occupation by the Turks that it had been reduced to its present number. What was the truth of the matter? According to Francesco Barozzi, quoted by Daru in the *History of Venice* (vol. 7, p. 130), the population of Crete in 1577, under the Venetian rule, amounted to 193,798. According to Pashly (*Travels in Crete*, vol. 2, p. 326), about the time of the Mahomedan conquest it had fallen to 80,000. In 1821 it had risen to 270,000; in 1834, owing to the Greek revolution, it had fallen to 129,000; before the last rebellion it had risen to 320,000. There was no doubt that Pashly was correct, for he gave the numbers for every village and district. This was a complete answer to the statement that the population of Crete had been destroyed by the Mahomedans during their occupation of the island. Exaggerations of this kind had been put forward to induce the British Government to support the policy of Russia and some other Powers in Crete. It was no wonder that these exaggerations should have made some impression upon Europe, seeing that, as was stated in Aali Pacha's report, there were no less than 117 journals in Greece propagating them throughout Europe, and that they were backed up by the Russian and the Greek Governments. His hon. Friend assumed that the stories of which they had heard, and which had been repeated that evening, of the atrocities committed by the Turks were true. For his part he believed them to be enormous exaggerations. They made, however, a strong impression upon the French Government, which was induced in consequence to allow its vessels to assist in removing a large number of refugees from the island. The French Admiral conveyed some of them from Crete to Greece, and his evidence on the subject cannot be called in question. According to a despatch from Mr. Ellis to Lord Stanley, of the 3rd of August, 1867 (p. 220)—

> "During the voyage from Crete the (French) Admiral questioned through his interpreters the Cretans whom he had on board, and who were mostly women, as to whether they had ever witnessed any cruelty committed by the Turks. They all answered that they had not seen any act of cruelty committed ; but that people had very often told them that such things had taken place, and that they believed in the truth of such statements. The reports from Russian sources are of so incredible a nature that I have never thought myself justified in reporting them to your Lordship."

In fact these stories of the atrocities committed by the Turks in Crete were like the stories of the mutilation of English women during the Indian mutiny. Although it was confidently asserted that many cases of mutilation had occurred, to this day not a single case had been verified. The conduct of some of our agents abroad in sending home these exaggerated statements could not be too much deprecated ; but, if we employed Greeks as our Consular agents, we must expect that their natural sympathies would lead them to repeat and to exaggerate what they heard. He regretted to see that amongst our Consular agents in Crete there were two Greeks, whose sympathies were openly in favour of the insurgents. The Reports of one of these gentlemen were so enormously exaggerated that even Her Majesty's Consul, Mr. Dickson—who was no friend to the Turks—was compelled in one of his despatches to offer as an apology for him that he was ill in bed, and wrote under the influence of an excited imagination. Yet these Reports were laid before Parliament, and printed, and went out to Turkey and the world. If agents of foreign Powers in Ireland were to send to their Governments for publication such calumnious reports, we should complain, and probably demand that they should be called upon to prove their statements, and, in default, dismissed. He should be inclined to treat with great severity any British agent who sent home Reports of this nature, which he had not taken the trouble to investigate,. He might refer to some evidence in favour of the Turks. Hon. Gentlemen might, perhaps, have seen the statements published in Florence by some Italian volunteers who went with the son of Garibaldi to join the Cretan insurrection. Young Garibaldi heard enough in Greece to deter him from proceeding further, but his companions went on. After some time they returned, and in the published account of their proceedings they said that one of their reasons for leaving the Cretans was the terrible cruelties committed by the Cretans on Mahomedan prisoners. Amongst other instances, the Turkish commander sent a Greek with a flag of truce to propose certain terms to the insurgents. They cut off his nose and ears and half his tongue, and sent him back in this horrible condition. He did not mention these matters with a view to excite any feeling against the Cretans ; he simply referred to them to show what might be expected in times of civil war from semi-barbarous populations. The persons who were really responsible for them were those by whom the insurrection was instigated and encouraged. It was said that there was a great destruction of property, but that was one of the misfortunes which invariably attended war. It was, however, stated by Aali Pasha in his report that for the large sums owing to the Mahomedans by the Christians there was in Crete no security but the standing crops. The private debts in Crete, he states, amounted to 150,000,000 piastres, and two-thirds of those debts were owed by Christians to Mahomedans. Was it likely, he justly asks, that the creditors would destroy the only security they had for the re-payment of their money, or was it more probable, as was alleged, that the destruction of property was the work of the Christians themselves, who desired by this means to take revenge upon their antagonists ? Some of the European Powers had been deceived by these exaggerated accounts ; and what had been the result of the policy they had in consequence pursued ? They had introduced into International Law precedents of a most dangerous description. No doctrine, perhaps, was more dangerous than that of *sauvetage* —a word of new coinage, which means an alleged right of neutrals to approach the shores of a country in arms against the lawful Government, and to remove, on the ground of humanity, the wives and children of those engaged in the insurrection. Such a course might be most dangerous in its effects by prolonging a war. He would wish to know whether this was a doctrine of International Law universally recognized, or only applicable to Turkey ? Would Russia have tolerated such a doctrine if we had on similar pretences removed the Circassian women and children, and so have left the men free and unfettered to continue their insurrection? Another most serious innovation on International Law was the new mode of blockade-running which had been practised by the Greeks, with the sanction of some of the European Powers. There were vessels used as blockade-runners, armed with six or eight guns, resisting all attempts to stop them, and firing into Turkish cruizers and slaughtering their crews; and the voyages of these vessels were not only justified by the Greek Government, as being made without any violation of International Law, but they were on several occasions actually escorted by Greek men-of-war. Would such a doctrine have been tolerated by Americans during their civil war? If that doctrine were admitted there was no meaning in the word neutrality. Were these things to be accepted as precedents, or were we to adopt one set of doctrines as applicable to Turkey and another to other European countries? He could not help saying that the conduct of the Greek Government was deserving of our strongest condemnation. The hon. Gentleman opposite (Mr. Baillie Cochrane) appeared to contend that we were bound to support the Greeks, because we were to a great extent answerable for their existence as a kingdom, but if we were bound to protect them against other countries we were also bound to see that they fulfilled their obligations as a nation; and towards Turkey they had broken all these obligations, and done what no good neighbour ought to do to any State. On the other hand, Turkey had behaved towards Greece with the greatest moderation; for she might with justice have either declared war against Greece, or have taken a still more serious step, and have suspended her diplomatic relations with Greece, have sent out of Turkey the Greek Minister, expelled from her territories every Greek merchant and resident, and put an end to the whole of the coasting trade, from which Greece derived so much advantage. He would like to know on what grounds Greece had been supported in her flagitious attempt to annex Crete by some of the European powers. The Cretans themselves did not ask for annexation to Greece, and did not wish for it. They knew quite well that if they were so annexed they would merely become the spoil of a few persons in Athens. What they wished for was, perhaps, autonomy, or, failing that, to remain subject to the Turkish rule with proper security for good and equal government. The Turks, moreover, were not prepared to give up Crete, and it might fairly be asked if they were not, after all, the best judges of their own interests, and whether there was not something in the plea that they could not abandon an island containing so large a proportion of Mahomedans? It might or it might not be true that the Mahomedans would be expelled from Crete if Turkey gave up the island. Such a course would not be without precedent, for, in gaining her independence, Servia expelled the whole of the Mahomedan portion of the population. It was true that Servia engaged to compensate them for their loss of property; but, from that time to the present, not a single step had been taken to fulfil that engagement. The Turks might, with some show of reason, argue that the same result would follow in the case of Crete were the Christians to get the upper hand; and, considering the antagonism of race, he was by no means sure that there was not good ground for such a fear. The Constitution which was contained in the blue book laid before the House, and which the Turkish Government were prepared to concede to Crete, appeared to be almost everything that the Christian part of the Cretan population could desire. No country in the world, probably, was composed of a greater number of different races, professing a different creed, than the Turkish Empire, and the Turkish Government had to reconcile the antagonism of Mahomedans, Catholics, Greeks, Armenians, and Jews, and to administer equal justice to and to restrain men who cordially hated each other, and who were equally willing on the first opportunity to persecute the professors of other creeds. He had never supported the misdeeds of the Turkish Government, nor was he there to plead their cause; on the contrary, he had condemned them as strongly as any man. He only asked for justice for the Mahomedan population, comprising many millions of souls. We were bound to see that the Mahomedans were not sacrificed to the Christians, as well as that the Christians were not sacrificed to the Mahomedans—that all were treated with equal justice, and the rights of all equally respected. At the present moment this end could not, he believed, be effected by any Government so well as by the Turkish. In most parts of the Turkish Empire the people were not only divided into Mahomedans and Christians, but the Christians were again split up into various sects; so that it would be most impolitic to put any one section politically above another. The safest way would be to leave matters as they stood at present, and to allow the various populations to work out their own destinies without foreign interference or intervention. Viewing the case in this way he thought the noble Lord the Foreign Secretary had shown wisdom in the policy he had adopted.

Lord STANLEY: A great many topics have been touched upon in the course of this discussion, and I am afraid I shall not be able to do justice to them all; but the House will expect a few words from me before the discussion closes. Now, first, with regard to the Motion which the hon. Member has made. He asks me to lay upon the table various Papers. I do not quite know what are those Papers of the Russian Government to which he refers; but if I rightly interpret his Notice, I apprehend that he refers to certain despatches which were addressed by the Russian Government to their own officials, and confidentially communicated to the Foreign Office. Clearly these were not and could not be included in the published Papers, for this reason — they were not ours to give or withhold. If the Russian Government gave us permission to produce them we should be free to do so; but, unless they gave us that permission, it would be a breach of courtesy, and to a certain extent a breach of faith, if we were to make public that which has been placed before us in confidence; and I need not say that if we did that we should not receive many more communications of the kind. With regard to the other Papers which bear upon the general condition of the Christian races in Turkey, as affected by the events of the past few years, I thought it best to exclude them from the Cretan blue book, partly because they refer to a subject which, though no doubt connected to a considerable extent with this war, is yet separate and distinct; and I thought that in the case of a publication which is already sufficiently voluminous, I should be rather confusing those who read it than throwing additional light upon the matter, if I were, following merely the order of date, to insert a very considerable number of Papers bearing only indirectly upon that particular subject. And I was partly influenced in excluding those Papers by the feeling that if they had been mutilated and published in the shape of extracts only, they might have given, in some case, an unfair impression as to the facts; while, if they were published absolutely as they stood, they would include various comments upon the conduct of agents of other European Powers; which it would not be a desirable thing to do. I do not say these objections are of an insuperable character. Many things may be published, when a crisis is over, which are not convenient to publish at the moment, and perhaps the hon. Member will be contented with my assurance that, in addition to the series of Cretan Papers which are printed, and which will appear in a few days, I will look through those which relate to the general condition of the Christian population, with a view to see whether there are any which can, without public inconvenience, be laid upon the table; and, if so, I shall have no objection to produce them. Now, with reference to the general question of policy which has been raised. I have no need to state at length what the views of Her Majesty's Government are, because those views have been expressed and repeated in different forms in the course of the public Correspondence, and because I see no reason to depart from that course which we originally adopted. We have declined throughout to recommend to the Porte the separation of Crete from the Empire, and we have done that because we felt assured that advice of that kind would not be accepted by the Turkish Government, except under pressure which would almost amount to compulsion, and such pressure it would be totally inconsistent with our position and with our duty to employ. We were also influenced by the fact that we could not conceal from ourselves that there was a good deal of force in the argument continually made use of by Turkish statesmen, that where you have a revolution in one province, and that revolution is encouraged and supported to a great extent by foreign assistance and sympathy, if you are to interfere on behalf of that insurrection, and by your interference to give it the upper hand, and give the insurgents that which they desire, that is not a course which could lead to a permanent, or even to a temporary pacification of the Empire as a whole; but the same means which produced insurrection in one part will be applied to another, and, either immediately or in the course of a very few months, you will have the insurrection which you pacified in one place breaking out somewhere else. I do not desire to erect that into a general principle; but I do say that, in this particular instance, it will apply; and I have no doubt whatever that if, by pressure amounting to compulsion, we had, at the beginning of last year, induced the Turkish Government to consent to the separation of Crete from the Empire, we should at this moment have had to deal with a similar claim to independence in Epirus and Thessaly. If the Porte had proposed to cede Crete, no objection would have been made on our part; but we thought that it was a matter for the Turkish Government, and not for us to decide. But I should also say that we have never ceased to do what was in our power to secure a good and impartial administration for the Christian population of Crete. With regard to the scheme of a mixed Commission of Inquiry to be carried on by foreign agents, I confess I never was very sanguine of it being likely practically to succeed. I did, on the part of the British Government, give a conditional assent to it, not much expecting that it would be put in practice, but rather as a preferable alternative to some other steps that were proposed. But I always stated to those who put forward that proposition that it was not easy to see how an International Commission, charged to inquire into the state of an island, was to carry on its inquiry while the war was going on. If, on the other hand, a cessation of hostilities were made a preliminary condition, the Commission would be a very effective intervention in the strife, because a large Turkish force would be maintained in the island, at great expense, doing nothing. Then, again, it seemed vain to hope that an inquiry of that kind could be carried on in a judicial spirit. You would be quite sure to have great differences of opinion, and probably the end of it would have been that separate Reports would have been made by each member of the Commission. Then there would have been the inconvenience of raising wild hopes and extravagant expectations in the minds of the pupulation, and the sense of injury which would have been produced in the event of these hopes being disappointed. I never, therefore, thought that that Commission was likely to come into operation, unless it had been adopted by the Porte as a means of saving their honour, they having previously made up their minds to the cession of the island, and wishing for a pretext for doing so, without seeming to yield to the insurgents. But, although we did not support that proposal, we have never ceased to urge the adoption of the plan of a better local administration. I do not think that our exertions, and those of other Governments in that respects, have been altogether unsuccessful. A very elaborate scheme has been framed by the Grand Vizier; and, though it is too early at present to say how that scheme, if fairly put into operation, will work, it seems to me, so far as I can judge from its construction, to be drawn up in a spirit of conciliation and of fairness; and, if it is well administered—for I need not say that in the East much less depends upon a paper Constitution or law than upon the man who administers it—I think it will give satisfaction to all, except those whose object is the total separation of Crete from the Empire. The hon. Member who raised this question (Mr. Monk) referred to a statement I made last year, and asked me, whether I now consider, as I said then, that the Cretan struggle is hopeless? Under certain conditions, I do consider it hopeless. I do consider it a hopeless struggle, unless a diversion were to be effected by a civil war upon a large scale in some other province of the Turkish Empire, or unless the insurgents were to receive the direct support of any foreign Power, which is not now an event that can be contemplated as probable. I have no doubt whatever that the insurrection has been protracted in the hope of one or other of these events occurring. We all know that this war has not been maintained by the resources of the island itself. It has been fed by supplies and stores of all kinds poured in from Greece; and I am bound to say that it has received very great encouragement from the practice which in the origin was undoubtedly adopted out of a feeling of humanity, but which, nevertheless, has been unfortunate in its results and in the effect it has produced on the minds of those concerned—I mean the practice of conveying refugees from the island. This, which was begun from motives of humanity, kept alive a constant belief, which, of course, was propagated by the local leaders, that Europe was about to interfere, and that if they could only hold out a few weeks longer, their work would be done. It is very hard to say what amount of suffering has been inflicted on those unfortunate people by that mistaken belief. As to the appeal which was made to me, or rather to the British Government, to interfere with a view to stop the effusion of blood, my answer is, that at present there is little effusion of blood going on. For a long time past we have not heard of anything but the most insignificant skirmishes going on. I cannot say exactly how the island is divided between the Imperial forces and the insurgents; but I take it that the Imperial forces occupy the low lying districts, and that the districts occupied by the insurgents are mostly those in which regular troops cannot act, or, at least, can only act with very great difficulty. In answer to the question as to the outrages which have been committed, I cannot deny that many such acts have been perpetrated. But I am afraid that outrages of this description will always take place during a civil war, and still more during a war which is both religious and civil, in a country which is only partially civilized. I utterly deny, however, that which was stated by one hon. Member, that a system of violence and outrage had been organized by the Turkish Government. So far as I am able to learn, it appears that many of the acts of violence which are said to have been committed by the regular troops have been inquired into by the authorities, with a view to the punishment of the perpetrators. But it must be borne in mind, in the first place, that most of the reports which reach this country from Crete, proceed from Greek sources, and are rather imaginative in their character; and next, that outrages have not been committed on one side only, and further that many of the worst acts have not been the work of soldiers, certainly not of regular soldiers, but of Cretan Mussulmans, inhabitants of the locality, who have been driven from their homes by the war, who are ruined and starving, and in whose case, therefore, religious fanaticism is combined with the strongest feeling of personal resentment. Given these elements in any part of the world, I am afraid that results must necessarily be looked for, which every man must regret to contemplate. My hon. Friend the Member for Honiton (Mr. Baillie Cochrane) takes up the case of the insurgents upon a new ground. He says that the British Government stands to the Greek nation *in loco parentis*; that the Greeks want to possess Crete, and that therefore we ought to give it to them. Now, I cannot admit the force of this argument. I quite understand the feeling of those who lay stress upon the wishes, or what they believe to be the wishes, of the Cretan population itself, but I do not admit that the Greek nation have any *locus standi* in the matter. They, no doubt, would be glad to obtain extension of territory, and they are not the only Government or people in that position. But if it is said that they require it for the purpose of defence, or as a protection against Turkey, my answer is, that they have a far more effectual protection in a European guarantee. And that guarantee is not a name only, but a very decided reality, for if any person will look at the transactions of the last two years, he will see that—I will not say the Greek Government, but the Greek people, have been perfectly conscious of its existence and of its value. They cannot be attacked by Turkey, and there is no other Power likely to come into collision with them. With regard to the Greeks, as a race, I wish to speak of them with all possible respect. I believe they have fine and noble qualities, and that they have before them a brilliant future. But it must be said that, during the last forty years of peace which they have enjoyed, they have not been very successful in administration, or in making the most of the territory which they actually possess. I cannot help thinking that if they would only trust to themselves and to time; if they would only devote themselves to the improvement of their internal administration, they would be doing a great deal more—I will not merely say for their own happiness; but in the long run for the greatness of their country, than it is possible for them to do by these attempts to obtain further possessions by giving encouragement and support to insurrections. My hon. Friend the Member for Honiton has spoken in very high terms of the extent to which English influence prevails in the East. For my part I do not believe that that influence quite reaches the height stated by the French writer whom my hon. Friend has quoted, nor, for my part, am I desirous that it should do so. We have no desire for the possession of any exclusive influence in that region. But no doubt our influence is considerable, and for this reason—that when an English Minister gives advice at Constantinople, the Government and people there—so far as the people take an interest in political matters—know that it is given in a disinterested and impartial spirit — that we really believe what we say, and that we have no private object to promote. And if we desire to retain the influence which I believe we at present possess, we must continue to use it in the same spirit—that is to say, we must consider not only what will gratify our own feelings, or what will meet the popular wishes either here or throughout the rest of Europe; but we must fairly consider what we would do ourselves if we were in the position of the rulers of the Turkish Empire, and what would be most likely to contribute to its safety and independence. Our policy hitherto has been based not upon any preference for Christians over Turks or for Turks over Christians, but simply upon a respect for the obligations of International Law and upon a frank recognition of the duty of neutrality which we owe to a friendly State. With respect to the future, I must decline on the part of the Government to give any pledge, simply because it is impossible in the actual state of the world to foresee what future complications may arise, or what may be the advice that under the new circumstances with which we may have to deal it would be useful and safe for us to give. But certainly I do not think it my duty at present to press upon the Porte the cession of Crete; and I am convinced that if that advice were given it would be unavailing. I think it is a matter absolutely for them to decide, and I believe that more than one European Government which last year committed themselves hastily and prematurely to an opposite conclusion have since that time come round more or less to the view which we have taken of the case, practically dropping the policy which they had before avowed.

There is only one other subject to which I will advert, and that is the one which the hon. Baronet opposite (Sir Francis Goldsmid) introduced — namely, the persecution—for it is nothing less—of the Jewish race which is carried on at present in the Principalities. I can assure the hon. Baronet that he cannot feel upon that subject more strongly than I do. I really think it is a question which concerns Christians even more than Jews, because if the suffering falls upon the Jew the disgrace falls upon the Christian. I know of no instance in our time of a series of oppressive acts which were committed so completely—I will not say merely without any provocation, but, so far as I can see, without any reasonable and intelligible motive whatever. In so far as those acts were connived at or encouraged either by the local officials, or, as I fear must have been the case in some instances, by the Roumanian Government itself, I can only explain that connivance or encouragement by the tendency of a weak and not very scrupulous Government to trade upon the worst popular passions. It is, however, but just to say that Prince Charles, the ruler of the country, has expressed himself very strongly upon the subject, and I believe that so far as his personal power and knowledge extend, he has done and will do what he can to prevent a repetition of these occurrences. But these things will not be lost sight of by the British Government, and perhaps I may mention that only this afternoon I have sent off another despatch in consequence of facts supplied to me by the hon. Baronet, containing a strong remonstrance. The French, the Austrian, and other European Governments are holding the same language, and and I believe that the manifestations of public opinion which will thus be brought to bear from the whole of Europe will not be without effect.

Mr. DARBY GRIFFITH said, he would not admit that there had been any error in the concession of the fortress of Belgrade to the Government of Roumania, for it was quite useless to the Turkish Government, and was a source of great expense to them. He congratulated the hon. Member for Southwark (Mr. Layard) upon his new-found moderation in treating the subject that evening. The hon. Member having on previous occasions been a strong partizan of the Palmerstonian doctrine of maintaining the integrity of the Porte—in the full acceptation of the phrase. No doubt hon. Gentlemen on the Liberal Benches believed they saw responsibilities looming before them, and wished to separate themselves from opinions that might no longer be convenient or advantageous.

Amendment, by leave, *withdrawn.*

## CASE OF SIR T. J. METCALFE.

### MOTION FOR A SELECT COMMITTEE.

Major ANSON said, he rose to move for a Select Committee to inquire into the case of Sir Theophilus John Metcalfe, C.B., as set forth in his Petition of the 24th day of February, and printed in the Appendix to the Fifth Report on Public Petitions on the 7th day of March, 1868. The petitioner was joint magistrate at Delhi when the mutiny broke out. He had inherited a large property from his father, who had been in the service of the East India Company for forty years. Acting up to the spirit of the policy of the East India Company, who wished their civil servants as far as possible to make India their home, Sir John's father had, in the course of his long service, accumulated at Delhi a very large amount of property, with a residence, and a valuable library. On the breaking out of the mutiny, the property fell into the hands of the Natives, and was either plundered or destroyed. That was a calamity which had overtaken many European proprietors at the same period; and in such cases the ordinary course in India was to proceed against the district or village in which the property was situate; and this mode of procedure after the mutiny was over had been approved by the Government of the North West Provinces and the Punjab, and in several cases civilians, officers of the Government, independent planters, missionaries, and others had obtained full compensation for their losses during the mutiny by proceeding in ordinary course of law against the district in which their property had been plundered. But when Delhi was handed over to the Punjab Government, it was made an exception to the general rule, and it was said that the losses there would be dealt with under a special arrangement to be proposed by the Government at Calcutta. Sir John Metcalfe, therefore, waived his legal claims and took no steps to obtain redress by the ordinary course of law, trusting that the Government would provide him with sufficient means to obtain compensation for the loss of his valuable property. Owing to the press of business in 1858-9, no answer was returned from Calcutta to his application, and no means were afforded for obtaining redress. Sir John Metcalfe had to leave India on sick leave; but, on his return, in 1862, he renewed his application, and received a letter from the Punjab Government in which the sum of £500 was awarded to him. In 1864, he applied again to the Punjab Government, and the answer he received stated that the award had been made with full knowledge of all the facts of the case. He next applied to the Supreme Government of India at Calcutta, and the financial letter he received in reply, dated Simla, July 15, 1864, mentioned his conspicuous bravery at the final assault, and other special grounds, entitling him to liberal consideration, and recommended that 50,000 rupees, or £5,000, should be granted to Sir John in full of all claims. Such was the recommendation of the Governor General of India in Council to the Supreme Council at home. But it entirely overlooked the circumstance that by the action of the Government he had been absolutely deprived of the means of obtaining redress by prosecuting the Delhi district. No action having been taken by the Council of India, and no compensation having been awarded, he was fully justified in his appeal to that House, the only tribunal to which he could address himself. The question of compensation for losses during the Indian Mutiny had never come before the House. Certain compensation rules were laid down in 1859 and 1860, but it so happened they had never been submitted to the House, although Sir Charles Wood, then Secretary of State for India, in answer to a question, stated that the subject of compensation for losses should be considered, but that no action would be taken until the whole question had been placed before the House and discussed. Under these circumstances, the question ought to have come before the House, and he thought it was perfectly legitimate to bring it forward on the present occasion. It might be said it would be dangerous to grant this appeal for a Committee to inquire into the subject, because it would encourage other claims. Now, that was not a very fair argument. He believed there were very few claims now outstanding. But, even if full compensation were granted, the case would form no precedent, because the Supreme Council at home had already established a precedent for full compensation to be given. That was in the case of the Mirza Ilahee Buksh of Delhi, by whom a claim for compensation had been made to the amount of 114,000 rupees. A sum of 5,000 rupees had been at first awarded upon that demand; but that amount had afterwards been raised to 35,000 rupees; and the Secretary of State for India decided upon appeal that even that latter award was not sufficient to meet the justice of the case, and directed that he should receive the full amount of any losses he could prove before the Commissioners. The daughter of the Mirza married the son of the King of Delhi, and when the mutiny broke out the Mirza joined the party of the King against the English; but soon finding out that that was a losing cause, he sent word during the siege of Delhi that he would give the English information of what was going on. He (Major Anson) was not aware whether the information furnished was of any value, but here was a case of a rebel who was allowed full compensation for the losses which he had sustained in consequence of a rebellion in which he himself took part. Therefore, it appeared only just that a civil officer of the Indian Government, who had nobly done his duty, and who, in the execution of that duty had lost the whole of the property accumulated by his family in three generations, should be fairly compensated. All that was asked was that a Committee of that House should inquire whether Sir John Metcalfe was entitled to that compensation.

Mr. ARTHUR PEEL, in seconding the Motion, said, he wished to state the peculiar circumstances under which the loss sustained by the petitioner was incurred, and also to quote some instances of the high testimony which distinguished officials in India had borne to the character and service of Sir John Metcalfe. The first he would mention was the testimony of the Secretary of the Government in India, who, after recognizing the eminent services of Sir John Metcalfe, stated that he believed Sir John had been the greatest sufferer of any in India in respect to the loss of property by the mutiny. The Governor General himself had recommended compensation, but for some cause or other it had not hitherto been granted. It might be urged that it was a large claim to make on the part of a civil servant of the Crown, but the case was a peculiar one. For three generations the family had occupied that property. It was the policy of the Indian Government to disassociate their servants as much as possible from connection with the mother country, as it was considered that they would be better servants if they confined themselves entirely to Indian interests. The father of the present baronet, Sir Thomas Metcalfe, made his home in Delhi, and collected around him all that a refined taste and great intelligence would lead a gentleman in his position to gather together. He built an elegant mansion, and furnished it luxuriously with valuable pictures and statues. The house was sacked by the rebels, and subsequently our troops made use of the very property on which the house was situated, in order to enable them effectually to combat the rebels, cutting down the valuable woods, and availing themselves of all the advantages which the place possessed to conduct their operations; so that while, on the one hand, the house was despoiled by the enemy, on the other the grounds were destroyed by our own troops, and all the property which had been accumulated by Sir John Metcalfe's family for forty years had been entirely destroyed. Our army in India had the very highest appreciation of the personal services of Sir John Metcalfe, and there were many letters from high officials strongly commenting on the distinguished services rendered by the petitioner. Major-General Showers stated in a letter written at Fort William on the 24th of April, 1864, that Sir John Metcalfe was always at hand when there was anything to be done during the mutiny, and that he volunteered to lead the troops through his estate by such a route as enabled them to fall unawares on the cavalry, and the consequence was that the mutinous cavalry were obliged to retire with such precipitation that the artillery was left behind and fell into our hands, and we were enabled at once to march on Delhi; and he concluded by saying that, for his personal services, no one was more entitled to honour and credit at the hands of the British Government than the petitioner. Sir George Clark had also written home much to the same effect, and the reply he received was that his letter, bearing testimony to the valuable services of Sir John Metcalfe at the siege of Delhi, had been laid before the Secretary in Council, and then followed a few words of cold commendation to the effect that the writer was instructed by Sir Charles Wood to say that he had received with much gratification the record of the valuable services performed. Again, Colonel North in a letter dated from Calcutta in April, 1864, stated that, under the guidance of Sir John Metcalfe, the troops were enabled to advance by a circuitous route upon the Indian cavalry, and the consequence was that they sustained so thorough and complete a discomfiture that it was impossible for them to carry off the guns. He regretted to find that an officer who had rendered such valuable services was obliged to importune the Government for justice, and he earnestly trusted that the case would meet with a generous consideration at the hands of the Government, and that no difficulty would be thrown in the way of granting this Committee.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the case of Sir Theophilus John Metcalfe, C.B., as set forth in his Petition of the 24th day of February, and printed in the Appendix to the Fifth Report on Public Petitions on the 7th day of March 1868," —(*Major Anson,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Lord WILLIAM HAY said, that having been in India during the mutiny, it would be unfair in him not to testify to the general accuracy of the statements made with respect to the losses sustained by Sir John Metcalfe, and to his gallant conduct during the mutiny. He (Lord William Hay) visited Delhi as a traveller in 1848, and went over the house and estate of the petitioner's father, because it was regarded as one of the "lions" of the place, valuables of all kinds being collected there. He again visited the place in 1858, three months after the war, and it was the literal fact that not one stone of the mansion was standing on another. He could bear testimony to the personal bravery of, and the invaluable services rendered by the petitioner during the mutiny, when he proved himself a worthy successor of his distinguished uncle Lord Metcalfe, who led a storming party at the siege of Bhurtpore. His services were publicly recognized by General Campbell, and, in a private conversation, that gallant officer had told him of the intrepid coolness with which Sir John Metcalfe at the siege of Delhi pioneered the troops through the intricate streets from the Cashmere Gate to the principal mosque, a distance of about two miles, marching in advance of the troops with a double-barrelled gun in his hand as coolly and composedly as if he had been walking in his own grounds. So sensible were the army of the value of Sir John's services that they unanimously voted to him a share of the prize money derived from the capture of Delhi; but as he was a civilian, the generous wish of the army could not be carried into execution. Sir John Lawrence—to his honour be it said—was an austere man in respect to rewards, and to questions of compensation; yet he had recommended that a payment of £5,000 should be made to Sir John Metcalfe, on the ground that his case was an exceptional one. That being the case, the House might depend upon it the claim was well worthy of consideration. It might be said that the appointment of a Committee in this case would establish a bad precedent; but he hoped there was not much danger of any similar case arising in the future. The right hon. Baronet the Secretary of State for India had said on the previous night that he was sure the Council who had the control of the finances of India would always yield to the authority of the Secretary of State. It was impossible to imagine, then, that the Council would refuse to accede to an opinion deliberately arrived at by the House of Commons. At all events every one would be glad to learn that before a decision was pronounced against this claim it would be completely inquired into.

Sir STAFFORD NORTHCOTE said, it was painful to say anything apparently in opposition to the claim of a gentleman of high character who had rendered distinguished services, and who certainly had been a very great sufferer. It was, therefore, with very great reluctance that he found himself compelled to object to the Motion of the hon. and gallant Member. He found himself in a somewhat embarassing position. This claim arose out of events which had occurred ten years ago. The compensation which had been awarded to Sir John Metcalfe had been awarded in consequence of a despatch written by Sir Charles Wood in 1859, which allowed a certain scale of compensation to sufferers by the mutiny. The case of Sir John Metcalfe had afterwards been brought forward as a peculiar one; it had been considered by the Government of India, and recommended to the notice of the Secretary of State for India in 1864. From that time to the present it had not been officially brought before any Indian authority, and this Motion had come upon him (Sir Stafford Northcote) quite unexpectedly. The hon. and gallant Member had certainly given notice of his Motion some time ago; but never having heard of Sir John Metcalfe, and not knowing that it was in any way connected with his Department, he (Sir Stafford Northcote) had not given his attention to the matter till the day before yesterday, when Sir John Metcalfe called upon him, and expressed a hope that he would not object to the Motion. He then asked what the circumstances were, and for the first time he heard the history of the case. The House were aware that if he were ever so well inclined to make a grant it would not be in his power to do so without the assent of the majority of his Council. He had not had an opportunity of consulting them yet; and as it was only on that morning he looked into the Papers, he was speaking under circumstances of difficulty. He must, however, observe, that no Resolution which might be passed by a Committee, or even by the House itself, would be legally binding on the Council of India; because Parliament had decided on general grounds, and he thought wisely, to remove from itself the duty of administering the finances of India, and had referred that duty to another body. As long as that arrangement remained he did not think Parliament would desire to render it an absurd one by interfering in individual cases with the decision of the Council. He did not, of course, object to the Council receiving any information from a Committee in a case where information so furnished might be deemed desirable. Neither did he object to the comments of hon. Members who desired to point out what they might conceive to be errors in decisions of the Council. On the contrary, he thought that in such ways that House might exercise a very salutary influence. But he thought that in this case the facts were not in dispute. They were correctly stated by the hon. and gallant Member—more correctly than by Sir John Metcalfe in his petition. Sir John was obviously under an erroneous impression as to the source from which the funds for awarding those compensations were derived. He seemed to think that they had been voted by that House, and that a very large sum had been granted for the purpose, and had not yet been exhausted. Had that been so, that House would of course have been the right judge whether its intentions had been carried into effect. But it was not so, and the hon. and gallant Member had not put forward the case on that ground. He should be most happy to lay the whole of the Correspondence on the table in order that the House might see exactly how the case stood. Having looked over the Papers—without, however, having had an opportunity of consulting his Council—he would now state how in his opinion the case presented itself. In the first place it should be borne in mind that the compensation awarded to Sir John Metcalfe was granted, not upon any special award confined to his case, but in application of the general rule laid down by Sir Charles Wood, the Secretary of State in Council in 1859. He was not prepared to go into an argument as to the legal rights which the sufferers by the mutiny might have had to recover the full amount of their losses from the inhabitants of the districts in which those losses were incurred. That, however, was a point on which he would institute inquiries, as it might possibly have some bearing on the case. But he might remark that if every sufferer from the mutiny had a legal right to recover all his losses from the inhabitants of the district, the cases of every loser by the mutiny, as well as that of Sir John Metcalfe, called for inquiry, with the exception of the comparatively few cases in which the losses were made good by the action of the Punjab Government, or other local authorities, on the spur of the moment. But when Delhi fell the Government had, instead of allowing prosecutions against districts and villages, made an arrangement under which compensation should be granted out of some general fund. With respect to Delhi, it was at first proposed that the compensation should be provided by contributions to be levied on the houses in that city. That plan, however, was abandoned, and the following plan was adopted by the Government of India. The claims, it appeared, amounted to about £2,000,000, and the Government laid down the following scale of compensation:—A distinction was drawn between real and personal property, it being provided that the losses in real property should up to a fixed amount be made good to the amount of one-half the loss sustained, but that beyond a certain point the compensation should be at the rate of one-third of the actual loss, while with respect to personalty the rule was laid down that one-third of the proved loss should be made good, but that no claimant should receive more than 5,000 rupees, or £500. It was obvious that under this peculiar arrangement, which however was deliberately adopted and applied in every case, a person who had lost property worth £1,500 would receive as much as a person whose losses amounted to £15,000. Now, the peculiarity of Sir John Metcalfe's case was simply that he was a large loser, and that, therefore, this scale of compensation, which was perhaps sufficient for those who lost but little, was in his case a very inadequate one. Still, he was compensated according to the scale laid down and applied in every instance. The money was to be derived from contributions out of the general funds of the Government of India, and whereas the losses were represented to amount to about £2,000,000, the total sum which the Government determined to grant by way of compensation was not to exceed £1,000,000. He believed Sir John Metcalfe made no complaint as to the amount awarded to him as compensation for his real property. In regard to his personal property, he was awarded the *maximum* that could be given under the rules—namely, 5,000 rupees. The hon. Gentleman the Member for Chippenham (Mr. Goldney) had alleged that Sir John ought to have received compensation on two distinct grounds, in respect of property in which he was interested under two distinct titles, and he confessed there seemed to be some force in that argument, although it was not admitted by the Government of India. But, subject to this exception (if it were one), Sir John Metcalfe was compensated at the same rate as everybody else under the rules. The hon. Gentlemen who brought forward and seconded the Motion now alleged that the compensation was insufficient, and said they asked not for favour but for justice. But in what respect had Sir John Metcalfe been treated unjustly? He had, it was true, suffered considerable loss, and had received compensation to a very inadequate extent. Was that what was meant? ["Hear!"] From the way in which his last remark had been received he inferred that the claim was rested on the ground of justice; and that, in fact, the justice of the system of rules under which the award was made was disputed, not only as they applied to Sir John Metcalfe, but to everybody else; because if rules were laid down and everybody were treated exactly in accordance with them, it was impossible to say that if the rules were just for one person they were unjust for another. To revise these rules and to set aside the basis of compensation which had been laid down when the facts were fresh would be a very serious undertaking. He was not responsible for them, nor did he stand up to defend them; but he was merely endeavouring to get at the real facts of a case which certainly awakened sympathy. It would, however, be extremely unwise to carry sympathy for an individual so far as to break down rules, without carefully considering what the consequences might be. The other ground on which Sir John Metcalfe's claim was based was that it had been recommended for special consideration by the Government of India. He held in his hand the despatch from the Government of India, in which that recommendation was made. They argued, in the first place, the question of the distinction between the two separate properties, and on this he confessed their argument was not at first sight very convincing. They then went on to say that under the rules for the distribution of compensation for losses of personal property a limitation was made to one-third of the loss, and that in no case could a larger amount than 5,000 rupees be allowed. They also stated that, in the present instance, the latter sum was disproportionate to the total loss, and that more liberal compensation was sought on special grounds. They went on to say that Sir John Metcalfe laid great stress on the fact that he had abstained from pressing his claim against certain districts, but they held that this plea was untenable after the formation of the Million Fund. [Major Anson: What is the Million Fund?] The next paragraph of the despatch would answer the question of the hon. and gallant Member. For the reasons which they stated, they said that Sir John Metcalfe had no claim to more than 5,000 rupees under the rules, but that there were special grounds which entitled him to consideration from the Government, such as his own services at Delhi, and the fact that he belonged to a family which had rendered great services to India. Now, although there was no name more deservedly honoured in Indian history than that of Metcalfe, he was sure the House would feel that the circumstance was not a sufficient reason for laying out the money of the taxpayers of India for the purpose of compensating an individual on account of his family, however distinguished. As to the services which Sir John Metcalfe had rendered at Delhi, he was not prepared to say that they were not such as to entitle his case to special consideration. That was a question which would have to be measured by a comparison of those services with the services of some other officers; and the only statement he could make with respect to it at the present moment was that he must reserve his judgment upon it until he had an opportunity of considering it more fully upon its merits. He found that the case had already been decided some years ago; and although he by no means wished to contend that it should not be re-opened, yet he thought some caution should be exercised in doing so, particularly as no new facts had been adduced. He should, however, hold himself entirely at liberty to deal with the matter, should it be brought before him, on its merits after consultation with his Council, and after such reference as might be deemed necessary to the Government of India. It would, he might add, be in his opinion extremely difficult for a Select Committee to decide satisfactorily in the matter; indeed, he did not see in what way such a tribunal could well proceed in its investigation. They might, indeed, put questions to the members of the Council as to the grounds on which they had come to the conclusion at which they had arrived; but he was not at all sure that that they would ascertain the justice of the case at all more satisfactorily than could be done by the House itself in open debate with all the necessary information before it. He was perfectly ready to lay on the table the original Correspondence which had led to the establishment of the rules to which he had referred, as well as all the subsequent Correspondence which bore upon the case. He should also be prepared, if the case were properly brought under his notice by Sir John Metcalfe, to take it into consideration in Council, so that he might see how the thing really stood; but he must not be understood as in any way pledging his individual opinion or that of his Council as to what, on full investigation, might appear to them to be just. The noble Lord the Member for Taunton (Lord William Hay) had, in the course of his remarks, referred to some observations which he (Sir Stafford Northcote) had made the previous evening as to the right of the House of Commons to control the Council, but he seemed to have misunderstood his meaning. What he had said was that in the event of a difference of opinion arising between the Secretary of State and his Council upon a question of expenditure recommended by the Government of India, the Secretary of State had a remedy against the Council by being able to put a moral pressure upon them by bringing the matter before Parliament. It would, however, he thought, be a dangerous principle to establish, that the House of Commons, whenever a case of what it deemed to be individual hardship was brought before it, should, with comparatively little knowledge of the matter, interfere and try to over-rule the decision of the Council of India. As to the present case, he did not mean to say that it was not a case which was in some respects a strong one; but he, at the same time, was of opinion that it would be injurious that it should be drawn into a precedent for making appeals from a better informed body to one which must necessarily from the absence of information be less qualified to pronounce an opinion upon it. He hoped, under the circumstances, the hon. and gallant Gentleman would not press his Motion for a Select Committee, while he (Sir Stafford Northcote) would undertake to take care that if the case were brought before him by a memorial from Sir John Metcalfe, it should not be set aside with the ordinary answer that the question could not be re-opened.

Sir GEORGE BOWYER had heard with great satisfaction the decision at which the right hon. Baronet had arrived to take the case into his favourable consideration. He contended that, as the Council of India were a purely official body and not elected by the taxpayers of India to represent them, it was perfectly open to the House of Commons to review their action on financial questions, and maintained that, although the rules to which reference had been made might, generally speaking, operate fairly, yet that was no good reason why a particular instance in which they might operate harshly should not be dealt with on its own merits. The case was one entitled to consideration upon its own merits, and on grounds of abstract justice; and as it was, moreover, the claim of a man who had rendered important public services, and whose family also deserved the gratitude of the country, it was to be hoped that it would be dealt with in a favourable, an equitable, and even in a generous spirit.

Major ANSON said, that, after the speech of the right hon. Baronet, the Secretary of State for India, he would not press his Motion to a division; but as the Indian Council had already expressed an opinion on the subject, if their decision upon it should be again adverse, he must hold himself at liberty to bring the case before the House at a future period.

Amendment, by leave, *withdrawn.*

## PERMANENT EXPENSES OF COMMISSIONS.—RESOLUTION.

Mr. GOLDNEY said, he did not regret that he had not secured an earlier opportunity of bringing on his Motion, because the proceedings of Thursday night showed how necessary it was to consider in what way the increasing expenditure of the country could be grappled with. Hon. Members knew very well how exceedingly difficult it was in Committee of Supply to effect any reduction of expenditure. Attempts to do so usually ended in a promise that the matter should be looked into before the preparation of the Estimates for the following year. Soon after he entered the House a Motion was made by the hon. Member for Brighton (Mr. White) to the effect that the expenditure of the country was increasing, and ought to be diminished; and the right hon. Member for South Lancashire (Mr. Gladstone) said it was useless to make general Motions for reductions of expenditure, and that the only mode of effecting any permanent reduction was to object to items in detail, and to point out those that could safely be got rid of. Hon. Members would be startled to hear the increase in the Civil Service Estimates during the last twenty-five years. In 1839 they stood at £2,500,000, which covered all Civil Service expenses at that period; and they had grown, not by any sudden jump, but gradually, by £100,000, £200,000, or £300,000 a year, until last year they amounted to £8,002,953, which was this year augmented by £400,000. In discusions upon them a great number of Votes had been attacked, and arguments had been used which in ordinary cases would have been conclusive; but the Treasury experienced difficulty in dealing with the heads of Departments, and inducing them to give up some portion of their expenditure. The sum we were now called upon to pay for the Civil Service alone would in 1838 have paid the whole of the Army and Ordnance, as well as the Civil Service expenses. In speaking of the increase of the Civil Service Estimates he did not forget that they embraced certain new charges, such as the Education Grant, but that Grant, large as it was, did not account for more than one-sixth of it—if that. Acting upon the recommendation, therefore, of the right hon. Member for South Lancashire, he would take three heads of expenditure which might be fairly considered with a view to passing a Resolution declaring that they ought not to be a public charge, and that the offices ought to be self-supporting. Those three heads were the Copyhold, Inclosure, and Tithe Commission, the Charity Commission, and the Land Registry Office. The Tithe Commission, in its origin was, no doubt, very properly appointed; and when it was first established it no doubt performed duties which were of general advantage. It was fair that the nation should bear the expense of carrying out a great principle of change solemnly adopted for the public benefit like that of commuting the whole tithes of the kingdom into rent-charges; but after that was accomplished certain duties were assumed by the Commissioners for the purpose of continuing the Commission. Indeed, it was found that when once a Commission was appointed for any definite purpose, it was almost impossible to get rid of the Commission itself. Acts were passed, and renewed, and consolidated, and in various ways work was found for the Commission, so as to keep it alive; and in many instances, no doubt, that work was very beneficial, but the benefit was for private individuals and not for the public generally. The Tithes Commission, having done its chief work—that of turning the tithes into a commuted fixed rent-charge upon the land—was now occupied in making variations solely for the benefit of the parties interested. It was manifestly unfair that a poor shopkeeper, say in York, should be contributing to the cost of managing a gentleman's estate in Buckinghamshire. Last year the Tithes Office dealt with 395 cases, including the confirmation of 283 altered apportionments, thirty-six applications for glebe exchanges, and 117 applications for redemption of rent-charge. Not only did the country bear the cost of all these transactions, which were for the benefit of individuals, but the Acts constituting and renewing the Commission exempted the transactions from the cost of postage and stamps, so that the Revenue lost a large sum it would otherwise receive in addition. Last year twenty-two inclosures were confirmed and carried out, and 228 exchanges of landed estates effected. In all, 264 cases were dealt with, and the value of the property passing and changing ownership through the assistance of the Commission was nearly £350,000, which was also exempt from stamps that would have amounted to between £4,000 and £5,000. The Copyhold Office dealt with 1,203 cases, including 825 enfranchisements, and the value of the property dealt with was nearly £250,000, again exempt from stamps and postages. In these offices a small payment on each transaction would meet all the necessary expenses, and relieve the Consolidated Fund from a charge of £30,000 or £40,000 per annum, and which charge would after a very short time have to be further increased by superannuations—and justice could be done to the country without doing injustice to anyone. The question of the Charity Commission was brought forward in 1863 by the right hon. Member for South Lancashire, in an able financial speech, in which he showed that that Commission had entailed on the country an expenditure very little short of £250,000. The Commission was appointed to inquire into the charities, ascertain of what they consisted, and how they were dispensed, and the result appeared in thirty-eight volumes, which were in the Library, and which showed that the charitable income of the country was at that time very nearly £2,000,000 sterling. In 1857 the property of the charities had so much increased in value that the revenue amounted to £2,400,000 per annum, and now it amounted to £3,000,000. The value of their personal property alone was £10,000,000, and their real property was scattered in all parts of the kingdom, and was increasing rapidly in value, because much of it was situated in the vicinity of large towns and of this metropolis. Persons were continually leaving money for charitable purposes, and by an Act recently passed trustees might relieve themselves from all trouble and responsibility by handing over charitable funds to the Charity Commissioners. At the same time the expenses of the Commissioners were increasing from £18,000 to £20,000, and if the country bore these expenses, they would go on increasing. These charities in many instances—the Tancred charity, for example—demoralized a neighbourhood; and instead of supplementing them, as we were now doing practically, by an annual grant, we should make this property, in the usual way, bear its own burdens. The only mode of grappling with the national expenditure was by attacking some particular Department, or item, and saying, "That ought at once to be ended." General declamation was of no use, and it seemed to him that these Commissions were fair subjects for reduction. If maintained at all they should bear their own expenses, and the State should not be called upon to contribute a sum amounting practically to £70,000 or £80,000 per annum for their support. Another of these Commissions was that for the Registration of Titles, the object of which was to save the large expenses incident to the transfer of land, and effect that transfer without the ordinary investigation of title. This Commission had not met with general acceptance or favour, and the consequence was a charge upon the public of £7,000 or £8,000 a year, or perhaps more. Now, the benefit it conferred was strictly confined to either individuals or particular classes of individuals; it did not benefit the public generally or the interest of the general tax payer; and if a man thought he could get a larger price for his property by obtaining an indefeasible title through the intervention of this office, he ought to pay for it. Or the office might be attached to one which realized a surplus over expenditure like the Middlesex Registry Office. Some time back he effected an exchange of property with one of his neighbours through the medium of one of these Commissions, and to his surprise it only cost him £9 or £10, and his neighbour the same; but it cost the country £200. Looking at the large extent of acreage, and the great value of the property dealt with, and the great advantages derived by parties from the facilities with which the business was done, he thought such a state of things ought not to be tolerated—that the public should continue to bear the expense. In the case of the Charity Commission, he was endeavouring to open a door for a much larger question—namely, that of the charities themselves. bearing their fair share of the public burdens like any other property. As things were at present, there was a mass of property, amounting to £3,000,000 a year, one-half of which tended to do more harm than good. If the trustees could not manage the property themselves, or did not manage it in a proper way, and required the *surveillance* of a Commission, they should defray the cost, and should bear all the burdens to which ordinary property was subject.

Mr. CHILDERS said, he begged to second the Motion. He thanked the hon. Member for Chippenham (Mr. Goldney) for having again brought the question before the House. He entirely agreed with his hon. Friend that the only way in which they could arrive at a satisfactory solution of these questions, in the absence of any action by the Government, was by an hon. Member who had a perfect knowledge of the subject, stating to the House where the weak points lay. In this matter he was bound to say he had some fault to find with Her Majesty's Government. When, two years ago, the hon. Member for Chippenham (Mr. Goldney) brought the subject forward, he (Mr. Childers) being then Secretary to the Treasury, and entirely agreeing with the hon. Gentleman in principle, undertook that the matter should be looked into. Last year his hon. Friend again brought the question forward, and he (Mr. Childers) asked whether the Government had complied with the promise he had given and inquired into the expenditure incurred on account of the Copyhold and Charity Commissions, because he felt that his hon. Friend's object ought to be carried out. He was bound now to make the same inquiry; for there could be no difficulty whatever in having the Treasury re-couped for the large expenditure which these Commissions entailed. For the Copyhold, Inclosure, and Tithe Commission there was an expenditure of £20,294, besides rent of a house, and certain other exemptions from charge which did not appear. The whole amount received in fees during 1867 was only £4,080, leaving a difference of £16,000, which the Treasury ought to be re-couped. The charge for the Charity Commission was £18,400, and there could hardly be a question that this expenditure ought also to be re-couped to the public. He did not know whether there were any fees in this case, but if there were they were very small. Then, as to the third case of expenditure, in connection with the registration of titles, the Land Registry Office itself did not cost very much, and it was the beginning of a new system of registry, but as another Department had been alluded to he must say that the state of things with respect to the Middlesex Registry Office was monstrous. The Middlesex Registry Office was not apparently a Department responsible to that House. In the other cases the Departments were paid by the State, and the fees, small as they were, went into the Exchequer. In this case also the Department received fees, but the balance went into the hands of sinecurists—one of whom drew three cheques a year, and the other did nothing, and for that these gentlemen received between £2,000 and £3,000 a year. There was this remarkable difference between the two classes of cases—namely, that where the balance went into the hands of gentlemen who had nothing to do there was a very large surplus; but where it went into the Exchequer there was very little surplus indeed. However, the Government had promised that this office and the Land Registry Office should be worked by a Commission; and this being so, it might be left out of the question. So amended, he trusted the Government would not object to the Motion of his hon. Friend.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the expenses of the Copyhold, Inclosure, and Tithe Commission, Inclosure and Drainage Acts, and Charity Commission, ought not to be borne by the public,"—(*Mr. Goldney,*)

—instead thereof.

Mr. MARSH said, he would confine his observations to the question of charities. All that was asked was that the Treasury should re-coup itself for the expenses of managing them. They were sometimes founded by persons who were in advance of the civilization of the age in which they lived, but many of them had now become entirely useless. It was a mistake to allow persons to tie up property in perpetuity for charitable, or indeed for any purposes. There were three descriptions of charities—namely, hospitals, almshouses, and grammar schools. The first was an unmixed good. They required little looking after, and were managed by local boards; but almshouses were monkish institutions unsuited to the present age. They were really useless and tended very much to produce pauperism by encouraging unthrifty habits. They generally contained half-a-dozen old men and as many old women, who would be much happier if they could live with their friends. Even the Greenwich sailors preferred to receive a small sum of money a day and to be allowed to live with their friends rather than dwell in a palace on the banks of the Thames. With regard to grammar schools, they might in a few cases be useful, by enabling boys of a humbler class to obtain an education which raised them to a higher position; but he thought that where the qualities which qualified a boy for a more important sphere existed, they would assert themselves without this adventitious assistance. In other cases these schools had had a mischievous effect, giving boys an education of a kind which they did not want, and increasing that class who were constantly writing to Members of Parliament for situations as clerks, and who, in the colonies, were the most useless and helpless portion of the population. There were about 3,000 of these schools, and the recent Report of the Royal Commissioners had shown the maladministration which existed. He had seen an account of a recent discussion in a town council as to why there were no boys at the town grammar school, some one remarked that they had only to send for a photograph of the master to know the reason. In King

Edward's School, at Birmingham, the Commissioners found a boy who spelt "wrong" "roung," who could not name a river in England, and who could not tell the names of any of the capital cities in Europe. At Thame Grammar School, with an income of £792, there were only three boys. At Bosworth School there were two masters and one boy. In another case there had been no scholar for more than thirty years, and in a fourth case, there were six boys whom the master, living in the school-house and doing nothing, sent to a private school. As leases fell in, and as the revenues increased, the existing evils would be exaggerated. In Scotland, parents were far more willing to pay for the education of their children than in England where people had been spoilt by the system of endowments. He did not, however, advocate the spoliation of charities; nor were we now proposing, as the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) boldly did some years ago, that charities should be liable to the income tax; but he thought it was only right that their revenues should not be supplemented out of the general taxation of the country.

Mr. SCOURFIELD said, he thought that some of the arguments brought forward were entirely out of place. "Why," it had been said, "is a person in Yorkshire to pay for the benefit of a person in Buckinghamshire?" It might just as well be said, "Why is a person in Wales or in Cornwall to pay towards the expenses incurred by this House in connection with the Paris Exhibition?" He could bear testimony to the usefulness of the Copyhold, Inclosure, and Tithe Commission. Exchanges of land had thereby been effected at a small expense, and this had indirectly benefited the whole community; for where land passed from an owner in whose possession it had been unproductive to one in whose hands it became productive the public good was promoted. The offence of the Land Inclosure Commissioners was, he suspected, their having shown how that which had been attended with great expense might be effected with economy. He hoped, therefore, the operations of that Commission would not be discouraged, and with regard to charities the greater the abuses the more necessary it was that they should be subject to supervision.

Mr. SCLATER-BOOTH said, he thought the House would hardly be inclined, upon so short a notice, to subvert arrangements laid down by several Acts of Parliament. These various bodies had been established from time to time with full knowledge of their objects and of their cost; and they were in reality Courts of Law. While concurring in many of the remarks and suggestions of his hon. Friend (Mr. Goldney), who had so ably introduced the subject, he thought more deliberate and mature discussion was required before so decided a step as that proposed were taken, unless, indeed, the Government, after their attention had been thus drawn to the matter, should take upon themselves to propose the alterations now suggested. With regard to the Copyhold, Inclosure, and Tithe Commission, it had never been looked upon as permanent, having been several times renewed, and would expire in 1872. It had cognizance of such a variety of matters that it would be difficult to lay down the rule that every person resorting to it should pay such fees as to render it self-supporting. There was the apportionment of tithe—a question of such importance that the money required for this portion of the Commissioners' operations could not be deemed to have been improperly applied. With regard to copyholders, it was considered to be a matter of great public importance that copyhold tenures should cease to exist in this country. By means of this Commission large quantities of copyhold lands had been enfranchised at small cost, and a great amount of taxable and rateable property had been created, and had thus become a source of wealth to the country. The Commission thus conferred a benefit upon the public, for which the public ought to pay. Then, again, by means of the Inclosure Commission, enormous quantities of waste land had been brought into cultivation, which would scarcely have been the case if the poorer class of landowners, who chiefly derived benefit from the distribution of the waste and common lands, had been compelled to pay the expenses of the Commission. The hon. Member for Chippenham (Mr. Goldney) had stated the cost of the Commission to be £30,000 per annum; but he was labouring under a mistake, as the expenditure entailed by it only amounted to £20,000 per annum *plus* the imprest expenses. He hoped, however, that a Bill would shortly be introduced into Parliament to enable the Inclosure Commissioners to take security for the preliminary expenses and to secure the re-payment to the Commissioners of such preliminary expenses in the case of the investigation proving fruitless. The Bill should also empower the Commissioners to make certain alterations in the business of their Court; but it would be most unwise and rash to pass hastily such a Resolution upon the subject as that now before the House. The subject required much more deliberate attention than it could receive on the hasty passing of a Resolution on going into Committee of Supply. He was unacquainted with the negotiations which had taken place upon this subject in former years; but he should be happy to endeavour to make arrangements to secure certain alterations being made in the Copyhold and Inclosure Courts. At the same time, he must remind the House that Parliament had deliberately resolved that the expenses of these Courts should be defrayed by the Votes of that House, in accordance with the recommendations of a Committee of Inquiry which was appointed in 1854, to inquire into this subject, and which consisted of Sir Charles Trevelyan and Sir Stafford Northcote. No objection had been raised by the Commission against an alteration being made in the scale of fees which they charged, and doubtless after the attention of the House and of the public had been drawn to the subject, it would be easy to carry into effect the necessary alterations in this respect. With regard to the Charity Commission, he concurred in the opinion that the expenses it involved ought not to be borne entirely by the country; but it would be a very difficult task to settle the matter satisfactorily. From 1844 to 1852, Bills were introduced by the Government almost every year with the view of setting up this Commission, and in every one of those Bills there was a clause making the cost fall upon the public. In 1852 the Bill passed. As originally introduced it contained a clause proposing to levy a tax of 2*d.* in the pound on all charities brought into the Court; but it was proved in debate that there would be great difficulty in imposing such a tax, and Earl Russell objected to the clause, on the ground that it would be very unjust to tax well-conducted charities for the purpose of controlling those not so well-conducted, and he proposed that the expenses of the Commission should be defrayed by the public. The Commission had been productive of a vast amount of public good, and it was, in fact, a branch of the Court of Chancery. It was a public court in which the procedure was cheap and simple, so as to enable small charities to come to it for assistance and advice. The Court had, at the present moment, £3,000,000 of the funds belonging to various charities in its hands, and it kept 4,500 accounts. Many of the larger charities, however, were out of the purview of the Court. The Commission had no objection whatever to its expenses being defrayed by a tax upon property belonging to charities; but they did object to any system of taxation which would prevent the smaller charities from coming into that Court. A general tax of 2*d.* in the pound upon property belonging to charities would amply defray the costs of the Commission. For his part, he should not object to the imposition of such a tax; but the House would recollect the failure of the attempt of the right hon. Gentleman opposite (Mr. Gladstone) to subject charities to taxation; and in the face of the great influence brought to bear against the imposition even of poor rates upon charities, with what heart could they proceed to the consideration of a direct tax. A judicial decision having virtually repealed the law exempting charities from the payment of rates, great efforts had been made, and deputations had been headed by individuals high in station, for a remission in favour of charities. Therefore he thought it would be futile to press the Resolution now recommended. With regard to the Land Registry Office the case was much more simple. That office had been a failure; that was to say, it had not received sufficient custom from the public to be self-supporting. That such had been the case was no fault of the Government; it resulted entirely from the action of the public, who, if they had resorted to it — as it might reasonably have been expected they would have done — would have enabled the intentions of its noble author — Lord Westbury — to be fully carried out. The chief secretary of that Court, however, believed that with some slight alteration it would become self-supporting. He regretted that the Middlesex Registry Office — an office which was at present somewhat under a cloud, and which, by general consent, required investigation — should have been mixed up with this question, for with this subject that office had really nothing to do. The Lord Chancellor stated in November that the matter was under his consideration, and the Secretary of State had it under contemplation to unite the functions of the Middlesex Registry with the

Land Registry Office. It appeared that upon the whole question there was very little difference of opinion between the Government and the hon. Gentleman who introduced the subject. He was sorry to have detained the House so long; but he could not recognize the wisdom of passing a Resolution such as the one proposed, the effect of which would be to embarrass their proceedings.

Mr. GLADSTONE said, he hoped the hon. Member for Chippenham (Mr. Goldney)—to whom he tendered his acknowledgments for the Motion he had made—would consent to omit the words relating to the Land Registry Office; because their only tendency, in his opinion, would be to perplex the case with respect to the other part of the Motion. He trusted that Her Majesty's Government, after that omission had been made, oppose the Resolution, because he believed that the arguments employed by the hon. Gentleman who had just sat down (Mr. Sclater-Booth) were not such as to induce the House to vote against the Motion. There had not been the suddenness in the Motion of which the hon. Gentleman complained. The subject of the Copyhold, Inclosure, and Tithe Commission had been under consideration before, and two years ago a promise was given by the then Government, which for some reason or other was unredeemed, that the matter should be dealt with in the precise sense asked by the hon. Member for Chippenham (Mr. Goldney). Similar promises had been made with regard to the Charity Commission, so that suddenness could not be alleged against a Motion which would, even if sudden, have been equally entitled to weight. He hoped the House would pass the Resolution, because by so doing they would strengthen the hands of the Government in a matter in which they had great need to be strengthened. This was an admirable opportunity for them to deal with charities. He attempted to deal with charities three or four years ago, but the party now in Office, was then in Opposition, and the almost unanimous resistance of that party was offered to his proposal. That party being now in Office, circumstances were favourable; and he trusted that hon. Members would feel that this was an opportunity to procure what, if the Liberal party had been in Office it would have been much more difficult to obtain. Knowing well what the Treasury really required in cases of this kind, he entreated the House to pass the Resolution. The hon. Gentleman (Mr. Sclater-Booth) had said there had been deputations headed by powerful individuals urging further remissions on behalf of charities. That was another reason why they should pass the Resolution. He (Mr. Gladstone) looked with considerable horror upon these deputations headed by powerful individuals. They were intended to saddle the public with burdens; and aimed at securing by personal and individual influence a result which could not fairly be arrived at on the merits of the case. If that House was mindful of its duty as steward of the public purse, the very fact of the extraordinary superhuman activity which, as he knew to his cost, was always displayed by these deputations, would be a powerful reason for showing when the subject came up that they were in earnest. The hon. Gentleman said that if they passed the Resolution it would subvert arrangements made by statute. It would have no such effect. It would not even secure the total disappearance, perhaps, of certain Votes from the Estimates of the present year, but it would make it the duty of the Government to go seriously to work for the attainment of a definite object, and instead of being left to be lost in the mazes of argument with these powerful deputations, they would be backed by the authority of the House, which would have distinctly marked out the aim to which their efforts should be directed. The plan of the Government would, no doubt, be introduced in due time, and as regarded the voting of moneys for carrying on the operations of these Commissions during the period while that plan was being brought into action, to the voting of such moneys the most fastidious Member of Parliament, or the most rigid economist, could not reasonably object. There was one portion of the speech of the hon. Gentleman which he heard with more jealousy as to its principle, because he understood him to argue with reference to the charges under the Copyhold, Inclosure, and Tithe Commission, and the Inclosure and Drainage Acts, that because the operation of those Acts was beneficial to the country at large, therefore the charge should be borne by the country. He demurred to that principle; because if it were good there were innumerable cases in which the charges should be borne by the country. There were here two classes. There was a comparatively narrow class or portion of the community, which had a large and special interest; and there was likewise the community at large, which had a general interest in the passing of good laws. He quite admitted that when Bills of this kind were introduced, it was often prudent and politic to throw the charge upon the public, because it was the only mode in which to pass the measure; but of that policy there was no question in this case, because the system was established, and the benefit accrued to a particular class; and it was unfair that, simply on account of the general advantage which in all cases resulted to the public, that particular class should be exempted. With respect to the question of charities, it was always difficult to argue it; on this ground, that the case was so bad, and that it invariably appeared that the proposition which was made was totally insufficient, and that in order to meet the merits of the case they ought to go a great deal further. That was an argument of which he had felt the force when it was used against himself; but at the same time they should not, because they ought to go a vast deal further, refuse to make any step at all. Let them take the clear and definite step which had been proposed by the hon. Gentleman. With regard to the speech of the hon. Gentleman, there was only one sentence to which he would be disposed to take exception, and his exception was more verbal than substantial. The hon. Gentleman said, "Let us not deal in general words; for there is no real way to procure economy except by particular propositions." He (Mr. Gladstone) granted that they were most fortunate in having a Gentleman thoroughly qualified, and one politically attached to the Government of the day, who was disposed to make a definite proposal of economy. They would always find him ready to lend his support to any proposition of that kind. He could not subscribe to the general doctrine that the House should not use words of a larger kind. It was impossible for the House to secure economy by fighting in detail; and circumstances sometimes arose in which, if the House intended to have economy, it must have it by general declarations for the guidance of the Government. Such Resolutions had been passed in former times, and such Resolutions were not unlikely to become again necessary, perhaps, at no distant date. In principle they were perfectly defensible, and in practice they formed the only mode in which the House could act upon any large scale. If, as he understood the hon. Member, the words relating to the Land Registry Office were to be left out, he should certainly give the Motion his support.

MR. BARROW said, this question was not now mooted for the first time, as he had a few years ago pressed it on the attention of the then Government; but because he was a humble Member of that House he had not been successful. He saw no reason why the parties who had inclosed lands under the Inclosure Commissioners Acts should not be called upon to pay the expense. These exchanges of land were not generally for the public benefit. It did not matter to the public whether two fields were close together or not; but it was a great benefit to individuals, and those individuals ought to pay for what was done. The greater portion of the land had been inclosed, and he did not think the public should have to pay for the benefit of individuals.

THE CHANCELLOR OF THE EXCHEQUER said, that in the spirit of his hon. Friend's (Mr. Goldney's) Resolution he willingly concurred; but the terms were too broad and comprehensive, and he felt some difficulty in assenting to the Motion exactly as it stood upon the Paper. In this Resolution they found drawn into one category "the expenses of the Copyhold, Inclosure, and Tithe Commission, Inclosure and Drainage Acts, Charity Commission, and Land Registry Office." These could hardly be considered as all coming under the same principle. The right hon. Gentleman had recommended that the Land Registry Office should be omitted from the Resolution. If the Land Registry Office were to be continued exactly in the same condition as at present—that was, that no other business should be introduced into the office than had been the case of late years—then he doubted whether it would be proper to exclude those words from the Resolution; but he understood it was in contemplation either to annex some other duties to the head of that office, or to amalgamate it with the Middlesex Registry Office. Under these circumstances it might be expedient to exclude the Land Registry Office from the Resolution. With respect to the Charity Commission, for his own part, he perfectly concurred in the view that the expense of the administration of charities should be borne by the income of charities, and he did not himself dissent from the view put forward by the right hon. Gentleman the Member for South Lancashire as to the propriety of making charities pay income tax. At the same time, public opinion had been exceedingly strong against the proposition of the right hon. Gentleman, and therefore it was a question whether it was expedient to press the more limited proposal now under discussion for imposing upon charities the cost of their own administration. The principle that the expenses should not be borne by the public was sound, and the only question was how the charge of the administration should be borne. With regard to the other heads of the Resolution, there could be no doubt that a great part of the duties assigned to these Commissioners were for the benefit of individuals. At the same time, he believed that but for the Copyhold Commission, the copyhold tenure, which was better suited to a past age than to the present, would not have been broken up, and it was thus a question whether the entire expense should be borne by individuals or the public. The Motion of his hon. Friend was couched in very general terms, and while assenting to the principle of it he took exception to those terms. The whole matter required careful revision and consideration; but he was perfectly ready, on the part of the Government, to assent to the Motion if the word "entirely" were added before the word "borne." If the hon. Member would agree to this, the House need not be put to the trouble of a division.

Mr. GOSCHEN said, he hoped the suggestion for the insertion of the word "entirely" would not be agreed to, as that insertion would invite the inference that the charge should be borne partly by the public, and thus the value of the Motion would be destroyed.

Mr. GOLDNEY said, he was entirely in the hands of the House. He was ready to strike out the words as to the Land Registry Office, but if the House thought that the principle of the Motion should be affirmed he should press it to a division.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 104; Noes 105: Majority 1.

Question put, "That those words be there added."

The House *divided*:—Ayes 106; Noes 105: Majority 1.

Words *added*.

*The Chancellor of the Exchequer*

Main Question, as amended, put, and *agreed to*.

*Resolved*, That, in the opinion of this House, the expenses of the Copyhold, Inclosure, and Tithe Commission, Inclosure and Drainage Acts, and Charity Commission, ought not to be borne by the public.

*Resolved*, That this House will immediately resolve itself into the Committee of Supply.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

## GENERAL POST OFFICE—CASE OF A. J. DUFFY.

### MOTION FOR A SELECT COMMITTEE.

Sir PATRICK O'BRIEN said, he rose to call attention to the circumstances connected with the removal of Anthony J. Duffy from his appointment of permanent clerk in the Circulation Department of the General Post Office; and to move for a Committee of Inquiry. The hon. Baronet said that the father of the gentleman whose name appeared on the Notice was induced to give his son such an education as would fit him for the Civil Service. In the year 1865 Mr. Duffy having received, through the intervention of a noble Lord, a nomination to a clerkship in the Post Office, was appointed to the Savings Bank branch of that Department. Having served some three months in the Savings Bank branch, he received a nomination to compete with eleven other gentlemen, and in that competition he obtained the second place. After the competitive examination he entered upon his duties in the Foreign Office branch of the General Post Office. Both in the Savings Bank and Foreign Office branches Mr. Duffy's conduct was such as to merit the encomiums of all his superiors in the branches—so much so that they felt it but right that he should be appointed a probationary clerk in the Register branch of the General Post Office. He was then appointed a permanent clerk in that branch. The gentleman who had the control of this Department (Mr. Boucher) seemed to have entertained an unaccountable prejudice against Mr. Duffy, and when it became necessary to revise the Department Mr. Duffy's name was omitted from those who were to be employed in it. On inquiry as to the reason of this, he (Sir Patrick O'Brien) received the reply that Mr. Duffy was not suited to this particular office. He then wrote to Mr. Scudamore in probably rather strong terms; but Mr. Duffy knew nothing of the letter, and there was no reason why this young man should be punished for any mistake he had made in the exercise of his duty as a Member of Parliament. Contemporaneously with the receipt of the letter of Mr. Scudamore this young man was removed from the Post Office. After having served for three years and passed an examination for which he had received a special education, he was turned adrift on the wide world at the bidding of a subordinate. He (Sir Patrick O'Brien) addressed the noble Duke (the Postmaster General) and received an answer to the effect that Mr. Duffy was relieved from his appointment both for the interest of the department and for his own. The young man had been dismissed by the noble Duke without any opportunity having been afforded to him of bringing forward evidence in his own behalf, or of hearing the case against him. He regretted that the Postmaster General had not a seat in that House, for the hon. Gentleman who would reply to the question was not an officer representing the Department, but simply the organ of those officers whose fairness was impugned. Mr. Duffy, who was a clever, well-educated young man, with no stain upon his character, had not been allowed to defend himself in the matter. The whole proceeding had been most unfair, and would deter parents from bringing up their sons for the Civil Service.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the circumstances connected with the removal of Anthony J. Duffy from his appointment of permanent clerk in the Circulation department of the General Post Office,"—(*Sir Patrick O'Brien,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. P. WYKEHAM MARTIN had known Mr. Boucher in his capacity of public servant and also in private life, and he felt sure that on consideration the hon. Baronet would not make such an attack on his character. [Sir Patrick O'Brien: I did not attack his character.] The hon. Baronet stated that, from prejudice and other causes, Mr. Scudamore swayed the mind of the Duke of Montrose to dismiss this young man. Mr. Boucher might make a mistake, but he would not act from such a motive.

Mr. SCLATER-BOOTH said, the Duke of Montrose had made inquiries into the case, and had satisfied himself that it was his duty to dismiss Mr. Duffy from his situation. The offences charged against Mr. Duffy arose from irregularity and a want of punctuality. He did not think the character of Mr. Boucher was before this House, and therefore he would not enter on that subject. Mr. Duffy was nine times cautioned for those offences in 1866, and eleven times between February and July in 1867. There was nothing against the moral character or the ability of Mr. Duffy; but repeated errors and mistakes arising from irregular habits and unpunctuality were very serious matters in an establishment like the Post Office. Mr. Duffy had sent letters by the wrong mails, and had made mistakes with respect to Post Office orders and registered letters. It was found at last impossible to submit to these things, and Mr. Duffy had to be dismissed.

Colonel FRENCH thought his hon. Friend the Member for King's County (Sir Patrick O'Brien) had made out a good case for the appointment of the proposed Committee of Inquiry. He (Colonel French) thought the Post Office Department ought to have given his hon. Friend the explanation which the Secretary to the Treasury had just given to the House.

Mr. CHILDERS said, he hoped that after the statement of the Secretary to the Treasury the hon. Member for King's County would withdraw his Motion. There was no occasion on which the Government more required to be supported than in dealing with such cases as the present. It was easy enough to get rid of officers who had been guilty of some actual offence; but very difficult to clear the Civil Service of persons who are, like this gentleman, complained of twenty times in two years, and really not worth their salaries.

Amendment, by leave, *withdrawn.*

## INDIA—MADRAS IRRIGATION COMPANY.

### OBSERVATIONS.

Mr. STANSFELD said, he rose to call attention to the circumstances under which the sum of £600,000 was agreed to be advanced on loan, in May, 1866, to the Madras Irrigation Company, by the then Secretary of State for India (Earl De Grey), and to make an explanatory statement. He would have been in his place on the evening when the hon. Member for Dumbartonshire (Mr. Smollett) brought forward this subject had not the terms of the Notice which the hon. Member had put on the Paper been such as to convey to his mind the impression that the hon. Gentleman excepted from that Motion the period during which Earl De Grey filled the office of Secretary of State for India. He found that there existed in the minds of some persons an idea that, under the original agreement made with the Company by Lord Stanley in 1858, the Company were, in the first instance, to take a profit of 25 per cent, and that not until that profit had been earned were the Government to share in the returns. That was an entire misconception. The profits were to be divided equally between the Company and the Government, after the payment of the guaranteed interest of 5 per cent. Next, as to what had been said about Lord Halifax having allowed interest to be paid from the moment the capital was paid into the Indian Treasury, he must observe that, under the agreement made by Lord Stanley with the Company, the payment of interest was to commence from that moment. Coming to the charge that when the £600,000 was agreed to be advanced in 1866 the Company had collapsed, and the Secretary of State bolstered them up with that loan, he had to say that undoubtedly no profits had been made by the Company up to that time, and for this reason—that their works were not completed. But the only way in which the Company had collapsed was, that the rough estimate for the works had been exceeded; that the £1,000,000 — the amount at which they had been estimated—had been spent; and that money was required to finish the undertaking. He denied that Earl De Grey had yielded to the demands of the Company. On the contrary, he made a counter-proposition, based on a true conception of the interests of the Government and the people of India. It was well known that Lord Halifax had always been opposed to the undertaking of works of irrigation by private companies, and the same view of the subject was taken by Earl De Grey. The Company came to Lord Halifax in 1863, and requested assistance or facilities for raising further capital. By the terms of the contract made in 1863, the Company were to be at liberty to raise more capital, though without guarantee; but, under such circumstances, they failed in their attempt to raise additional capital, whereupon they applied again to Lord Halifax in October, 1865, and asked that the obligation they were under to re-pay out of the profits the advances of guaranteed interest to the Indian Government should be postponed to the right of the guaranteed and unguaranteed shareholders to earn 12 instead of 5 per cent. This proposal was left by Lord Halifax to be considered by Lord De Grey, who declined to accede to it. But it was obviously the policy of the Secretary of State to secure the completion of the works by this Company for a limited sum and within a reasonable period, or else to acquire the right of paying off the Company, and taking the works into the hands of the Government of India. That policy was carried out in the proposal which was made to the Company and accepted by them, and by which the Government acquired the rights and advantages they at present possessed. By the contract under the seal of the Secretary of State, he undertook to advance to the Company sums of not less than £5,000 on demand on their debenture notes payable five years after date—on the whole, to an extent not exceeding £600,000; these amounts to be applied to the completion of of the irrigation canal between two specified points—on the understanding that, in case of the non-completion of that section of the works in five years, and for the sum to be advanced, the Secretary of State for India should have the right to enter upon these works and oust the Company, paying them in Indian stock at market price for the capital invested in the works in question; but, if the Company succeed in completing the works in the time specified, the whole profits accruing to it, from whatever source, would be liable, in the first instance, to payment of the interest due to the Secretary of State on the debenture debt; and, secondly, falling back on the contract of 1863, the irrigation profits would be liable for the guaranteed interest of 5 per cent, and next to pay the Secretary of State the long standing and very considerable arrears of guaranteed interest which he had been compelled to advance; and then, and not till then, would the Company be entitled to earn more than 5 per cent. He believed he had demonstrated that the proposal which had been made by Earl De Grey was a wise and prudent arrangement for the Government and the people of India. The word "swindle" had been applied to the Madras Irrigation Company, and it had been said that the India Office was surrounded with jobbers. He protested against the application of such reckless and unfounded expressions to honourable men engaged in a work of great public utility. The directors were bound to look to the interests of the shareholders; but they had met the Secretary of State frankly, and should not be grudged the assistance necessary to enable them to complete the work. In conclusion, the hon. Gentleman deprecated the harsh remarks applied on Monday evening to the directors of the Madras Irrigation Company.

Mr. SMOLLETT said, that the Resolution which he had moved on Monday last was not precisely the same in terms as the one which he had placed upon the Notice Paper some time previously, inasmuch as it implied the adoption of a certain course of policy by Lord Halifax instead of by Earl De Grey, and that was perhaps the reason why the hon. Member for Halifax (Mr. Stansfeld) had not on that occasion come down to the House to answer him. The House had, however, now heard the explanation of the hon. Member, and so far as it went it was satisfactory. He (Mr. Smollett) would take a future opportunity of moving that the proposals first made to the Irrigation Company by the noble Lord the Member for King's Lynn (the Secretary of State for Foreign Affairs) should be laid upon the table of the House. His (Mr. Smollett's) statement was that in 1859 a deputation of adventurers proposed to the Secretary of State for India to relieve the Government of India from making large irrigation works out of the Government Treasury, and solicited permission to make the works by means of a company which should simply reap the profits of the undertaking. Nine years elapsed, and it appeared that not a shilling had been advanced *bonâ fide* by the Company, but that these irrigation works had been paid for out of the public treasury, and not a sixpence of interest on the Government advances had been received.

Mr. STANSFELD said, that the money had been advanced by the Company.

Mr. SMOLLETT: Yes; advanced by the Company on a guarantee that the Government would pay 5 per cent interest. This was, in reality, a Government loan. He contended that at the end of 1871 the Government will have made themselves answerable for £2,000,000 sterling and upwards, while these private adventurers would not have made themselves answerable for a single shilling. No profits had up to this time been derived from these works, and no one who knew anything of India would be deluded by the statement that if we would wait a while, profits would come. Irrigation works yielded profit immediately on their completion, if they were well-constructed and well-conducted. But these works never would yield any profit, because they were ill-devised, ill-engineered, and conducted by men who could not realize profits.

Mr. KINNAIRD said, he had never heard a speech—to use the mildest term—so full of inaccuracies as that made the other night by the hon. Member who had just spoken. They could not be sustained before a Select Committee.

Mr. SPEAKER intimated that the hon. Member was out of order in referring to a speech in a previous debate.

Mr. KINNAIRD said, he would add nothing to what had been stated by the hon. Gentleman the Member for Halifax (Mr. Stansfeld), except with regard to what the Company asked for from Earl De Grey and Lord Halifax. All that they had asked of the Government was a slight relaxation of the contract, in order that they might raise unguaranteed capital to enable them to complete works that had proved to be of enormous difficulty. The Government had guaranteed £100,000,000 for the construction of railways in India, and could it grudge to guarantee £600,000 for the construction of works which would save the lives of millions of our fellow-subjects? The works were now progressing rapidly, and the result would be most beneficial to India.

Motion, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

House adjourned at a quarter before
One o'clock, till Monday next.

# HOUSE OF LORDS,

## *Monday, April* 27, 1868.

MINUTES.]—Public Bills—*First Reading*—Religious, &c. Buildings (Sites)* (77).
*Second Reading* — Education (53); Partition* (67); Prisons (Compensation to Officers)* (72).
*Committee* — Medical Practitioners (Colonies)* (56 & 78).
*Report*—Promissory Oaths* (52).

## ESTABLISHED CHURCH (IRELAND)—THE RESOLUTIONS.

### NOTICE.

The Earl of **DERBY**: My Lords, I beg to give notice that to-morrow, I shall put a Question to the noble Earl opposite (Earl Russell), with regard to the Resolutions on the subject of the disestablishment of the Church in Ireland, of which notice has been given in the other House of Parliament. I need scarcely say that, in asking that Question, I do not intend myself to enter in any degree, or to invite any of your Lordships to enter, into any discussion of the merits of those Resolutions. My Question will only be as to the course of proceeding which is intended to be taken by those who are the chief promoters of the Resolutions. At the same time, I shall ask the noble Earl for some explanation of a passage in a speech which he delivered a short time ago at a public meeting with regard to a transaction which occurred many years ago, with respect to which, I think, he is under a misapprehension, and that on a point which is of considerable and constitutional importance. I do not propose to ask your Lordships to express an opinion upon either of these subjects. I merely wish to put to the noble Earl these Questions, of which I have already given him private notice.

## PRIVATE BILLS.

On the Motion of the Chairman of Committees *ordered*—

That no Private Bill brought from the House of Commons shall be read a Second Time after *Friday* the 12*th Day of June* next:

That no Bill confirming any Provisional Order of the Board of Health, or authorizing any Inclosure of Lands under Special Report of the Inclosure Commissioners for England and Wales, or for confirming any Scheme of the Charity Commissioners for England and Wales, shall be read a Second Time after *Tuesday* the 16*th Day of June* next:

That no Bill confirming any Provisional Order made by the Board of Trade under the General Pier and Harbour Act, 1861, shall be read a Second Time after *Tuesday* the 16*th Day of June* next:

That when a Bill shall have passed this House with Amendments, these Orders shall not apply to any new Bill sent up from the House of Commons which the Chairman of Committees shall report to the House is substantially the same as the Bill so amended.

## HIS ROYAL HIGHNESS THE DUKE OF EDINBURGH.

### ADDRESS TO HER MAJESTY.

The Earl of **MALMESBURY**: My Lords, before we proceed to the public business of the evening, I think it my duty to call your Lordships' attention to a subject which must have been painfully present to all your minds during the last two or three days—I mean the atrocious attempt on the life of his Royal Highness the Duke of Edinburgh. I am sure your Lordships heard of that attempt with indignation and sorrow, and I think you will be anxious, in a public form, to show Her Majesty how you sympathize with her anxiety, and the horror which that attempt has universally aroused. My Lords, the crime, which a merciful Providence has prevented from attaining the consummation which was intended, is one of no common description, because its inherent atrocity is aggravated by the fact that, had it been consummated, it would have been perfectly fruitless to the assassin in its results. No political consequences could have ensued from it. It could have changed no dynasty. It could have removed no obnoxious Minister. It could have altered even no unpopular law; and the innocent victim who was condemned to death by this criminal had, so far as we know, given no cause of offence to the man who sought his life. It is, therefore, my intention to move that we address Her Majesty, expressing our sympathy with Her Majesty on this painful occasion, and the horror we feel at the crime which has been committed. Your Lordships, I am sure, will hear with gratification, though without surprise, that Her Majesty received the shock of the intelligence with the courage and calmness characteristic of herself and of her race. My Lords, I move—

"That an humble Address be presented to Her Majesty, to convey to Her Majesty the Expression of the Sorrow and Indignation with which this House has learned the atrocious Attempt to assassinate His Royal Highness the Duke of Edinburgh while on a Visit to Her Majesty's loyal Australian Colonies, and of their heartfelt Congratulations to Her Majesty on his Preservation from mortal Injury; and to assure Her Majesty of the Sympathy of this House in her Majesty's present Anxiety, and of their earnest Hope for the speedy Recovery of His Royal Highness."

Earl **RUSSELL**: If the noble Earl will permit me, I should wish to second the Motion he has just made—to congratulate Her Majesty on the failure of this most dreadful attempt. The noble Earl has very justly said that no purpose could have been answered by it; but this wretched conspiracy of Fenians, having no power to effect anything against the authority of the Crown or Government, appears to have taken a general licence to commit the crime of murder in any part of the world. I, therefore, entirely agree with the Address to Her Majesty which the noble Earl has moved.

*Resolved* and *Ordered, Nemine Dissentiente,* That an humble Address be presented to Her Majesty, to convey to Her Majesty the Expression of the Sorrow and Indignation with which this House has learned the atrocious Attempt to assassinate His Royal Highness the Duke of Edinburgh while on a Visit to Her Majesty's loyal Australian Colonies, and of their heartfelt Congratulations to Her Majesty on his Preservation from mortal Injury; and to assure Her Majesty of the Sympathy of this House in Her Majesty's present Anxiety, and of their earnest Hope for the speedy Recovery of His Royal Highness.

The said Address to be presented to Her Majesty by the Lords with White Staves.

## EDUCATION BILL—(No. 53.)

(*The Lord President.*)

### SECOND READING.

Order of the Day for the Second Reading read.

THE DUKE OF MARLBOROUGH, in moving that the Bill be now read the second time said, that, in laying it on the table, he had stated his views so fully he did not now think it necessary to trouble their Lordships with any additional observations.

*Moved,* "That the Bill be now read 2ª."—(*The Lord President.*)

THE EARL OF AIRLIE, in moving that the Bill be read the second time that day three months, said, he could assure the noble Duke that he had been most unwilling to take any step which might appear wanting in courtesy to him by the short Notice he had given of his present Motion. He gave his Notice immediately on his return to town—he could not give it before Easter because he did not know what effect the division on the Irish Church Resolutions would have on the Government. He had examined the Bill with great care, and he found in it only two provisions which could not be effected by Minutes of the Privy Council. First, it proposed the appointment of a Minister of Education who was to be a Secretary of State; and, secondly, it made provision for taking what was called an "educational Census." Now, such a Census would no doubt be a very good thing; but he did not think the machinery provided for taking it was the best that could be devised. Those points, however, did not go to the principle of the Bill, and could be, perhaps, better discussed in Committee than on the present occasion. He was very glad the Government had put a Conscience Clause in the Bill, although he wished they had gone a little further in that direction. He hoped before the Session was over there would be an extended Conscience Clause applied imperatively to every school receiving public money, and that to this end they would have the valuable assistance of the right rev. Bench. He said this because his noble Friend (Earl Granville) had stated that he had been informed by a very rev. Prelate that the great majority of the clergy of the Church of England were in favour of a Conscience Clause, and that it was only a small but active minority who were opposed to it. A very eminent Member of the Government (Sir John Pakington) was in favour of a Conscience Clause much more extensive than that contained in this Bill. The right hon. Baronet had prepared a draft Report in which it was proposed that no building grant should be made to any school in regard to which there was not a Conscience Clause; and further that if, on investigation, it should be found that the children of Dissenters attending a National School had been compelled either to submit to religious teaching to which the parents object, or to attend the Church or the Church School, the Minister should be empowered in his discretion to suspend the annual grant to such school. As to the Bill itself it might truly be said that, with some minor alterations and additions, it was intended merely to embody in an Act of Parliament what was known as the Revised Code. This appeared to him to be not only unnecessary but mischievous; and it was the more remarkable inasmuch as it had been stated by the author of that Code that it never would have passed if it had been necessary that its provisions should be embodied in an Act of Parliament. By one provision of the Bill, schools with uncertificated teachers might receive a grant. Now that could be done a present by a Minute of the Privy Council, and more expediently done in that way than by Act of Parliament, because, if the arrangement did not answer, it could then be easily altered. He also thought it better to leave the increase or diminution of the building grant in like manner to the discretion of the Education Committee of the Privy Council. He had no objection to the appointment of a Minister of Education, if work enough were given to that functionary to perform, and if they clothed him with active powers. If he had, for instance, the initiative in matters of elementary education, the control of endowed schools and of educational charities, then he might possibly have work enough for a Cabinet Minister; but if he were to be tied down within the four corners of the present Bill, the work might just as well be done by a permanent Under Secretary with an efficient staff of clerks. He was of opinion that it was an objection to the Bill that it was intended, as stated by the noble Duke (the Duke of Marlborough) in introducing the measure, to make the existing system a national system. While it must be admitted that the present system had effected much good, yet it must be at the same time allowed that it had several grave defects. It was a very extravagant system—it had a needless multiplication of schools and schoolmasters and Inspectors; and he understood that the other night the Chancellor of the Exchequer stated that the increase in the Civil Service Estimates was partially due to the Vote for Education. There was also inequality in the way in which it pressed on those who maintained the schools, and there was a total absence of that local organization, which the best judges of the matter had always said was absolutely necessary for the efficient working of a national system. Again, the present system did not meet the requirements of those districts which most required assistance; for it was in the great towns, and not in the rural districts that the machinery for extending the advantages of education was most wanted. Neither did the Bill check expenditure, but tended greatly to increase it. He did not wish to see the present system interfered with where it was working well, for it had done a considerable amount of good; but when they were going to occupy new ground they ought to adopt a system founded on a sounder basis, and which would prove more efficient. He thought there was an overwhelming preponderance of opinion among persons well informed on the subject against the expediency and possibility of extending the present system so as to make it national. Last year it was stated in the second Report of the Scotch Education Commission that—

> "Upon the whole we think it must be admitted that the Privy Council system neither is, nor can it by any alteration be enlarged into, a national system."

Two years ago a Committee of the House of Commons was appointed to inquire into the subject of Education at the instance of Sir John Pakington, and before that Committee a great number of witnesses were examined—among others Mr. Lingen, who gave it as his opinion that it would be impossible to extend the present system throughout the whole country; that we must fall back upon local organization of some kind, and that he considered the organization of the parish schools in Scotland a type well worth studying for this country. He went on to say that he should prefer the local organization, which would have the best chance of being adopted in this country. Whether it were based on the county, the union, or the parish he should look upon as a matter of comparative indifference. Again, the Rev. William Kennedy, one of Her Majesty's Inspectors for Lancashire, with an experience of twenty years, declared that he saw no other mode, after long consideration, by which assistance could be extended to neglected districts; that he was of opinion that a feeling was springing up in favour of rate-supported schools, and that he thought it absolutely necessary to constitute local bodies for the management of the schools; adding that he did not see that the religious difficulty need interfere with the plan, provided the Conscience Clause was universally imposed, and that he was strongly in favour of that being done. Such were the opinions not only of an Inspector of great experience, but of a clergyman of the Church of England; and it was not only his individual opinion, but he believed that the majority of the clergy of the Church of England were not opposed to the Conscience Clause, stating it to be the result of his experience, as an Inspector in Lancashire, that he knew only of one clergyman there who would not act upon it in his schools. The noble Earl below him, he might add, then Lord John Russell, submitted to the House of Commons, in 1856, a series of Resolutions, the 7th, 8th, and 9th of which were as follows:—

> "7. That it is expedient that in any school district where the means of education arising from endowment, subscription, grants, and school pence shall be found deficient, and shall be declared to be so by the Committee of Privy Council for Education, the ratepayers should have the power of taxing themselves for the erection and maintenance of a school or schools.
>
> "8. That, after the 1st of January, 1858, when any school district shall have been declared to be deficient in adequate means for the education of the poor the Quarter Sessions of the Peace for the county, city, or borough should have power to impose a school rate.
>
> "9. That where a school rate is imposed a school committee elected by the ratepayers, should appoint the schoolmasters and mistresses, and make regulations for the management of the schools."—[3 *Hansard*, cxl. 1971.]

Now, such were the Resolutions proposed by the noble Earl twelve years ago, and he had not, he believed, since changed his opinions on the subject. Sir John Pakington was also in favour of rate-supported schools; while a meeting which was recently held at Manchester, at which the compulsory rating principle was advocated, was largely attended by clergymen, by whom no disapproval of it was expressed. For his own part, knowing how well it had worked in Scotland, he must confess that he was strongly attached to the rating principle, and as a landowner, and looking only at the results of the system in a pecuniary point of view, he felt that he gained more by having a well-educated tenantry and labourers on his estate than he should have had to pay in consequence of any charge which was imposed on him to secure that object. If they wished to extend education throughout the country, and they were driven to choose between the Bill of the Government and that of his right hon. Friend (Mr. Bruce) in the other House, he should greatly prefer the latter. The two were totally different in principle—one must kill the other. Entertaining those views, and believing that the Bill of the Government was a complete abnegation of the principle that the State ought to educate the people, he should move that it be read a second time that day three months.

Amendment *moved* to leave out ("now") and insert ("this *Day Three Months.*")—(*The Earl of Airlie.*)

The Archbishop of CANTERBURY said, that not having been present when this Bill was introduced, and not having had an opportunity before of expressing an opinion upon it, he was desirous of tendering his best thanks to the noble Duke and to Her Majesty's Government for bringing forward a Bill characterized by so many good proposals, and so well calculated to promote the cause of education. He was himself in favour of the Bill, and that for some of the reasons which had been urged against it by the noble Earl (the Earl of Airlie). He looked upon it, in the first place, as a step in the right direction, inasmuch as it placed matters of great importance in connection with education on a somewhat settled footing, so that the promoters of schools might with some certainty know how they were situated, instead of being liable, as hitherto, to the disadvantages arising from repeated changes at the caprice of the Privy Council. As to the Conscience Clause as framed in the Bill, he could only say that it met his own individual views, and he believed the views of a very large portion of the clergy; but he believed there was a large portion of the clergy who would not be satisfied with the Conscience Clause proposed in the other Bill. If by means of such a measure a long vexed question could be set at rest, as he trusted it might, a great benefit would, he thought, be conferred on the Church and on the nation. He was glad, he might add, that rating clauses were not included among its provisions, inasmuch as he was of opinion that their introduction would be premature, until after the proposed general Census was taken, and the educational wants of the country thus accurately ascertained; for there were facts before them which would show, if he were not mistaken, that in the different dioceses of England there was a much larger number of the children of the poor now brought under the influence of education than was supposed. He did not think it necessary to go into the details on which the noble Earl (the Earl of Airlie) had touched; if there were any defects they might be remedied in Committee; but he thought there were some very essential provisions in this Bill, well calculated to help forward the cause of education, and he was prepared to give the measure his hearty support.

The Earl of KIMBERLEY said, that to a certain extent he concurred in the opinions expressed by his noble Friend (the Earl of Airlie) in regard to the Bill. Some of the details of the measure seemed to be extremely useful, and reflected credit on the Government; but it was much to be lamented that they had thought it necessary to embody the whole system of education, with all its mass of details, in a Bill. He should have thought that the whole history of elementary education in this country, and the present position of the question of education showed that, at all events, the time had not yet arrived when they could advantageously stereotype all the principles and the details connected with their system in an Act of Parliament. There had been so many differences of opinion and minor difficulties to overcome in the history of elementary education in this country, that it had been mainly owing to the tentative nature of the system that education had been developed to its present extent; and on the whole it had been attended with great success. He regretted, therefore, that the Government now proposed to Parliament such a departure from that mode of proceeding. His noble Friend behind him had spoken with great force as to the inconvenience that would be felt if, when some slight variation was needed in the elaborate management clauses contained in that Bill, or when some other minor change of that kind was wanted, they must come before Parliament with a Bill for the purpose of making it. The most rev. Prelate (the Archbishop of Canterbury) seemed to think that great advantage would be derived from the Bill by the knowledge it would afford to the clergy and the ministers of other denominations as to the nature of the rules that were to be followed. He was surprised at that statement, because the existing Revised Code had been fully discussed in Parliament, possessed very much the character of an Act of Parliament, and was as well known to the clergy as any Act of Parliament could be; and he should have thought the information to be found in the one would be as easily found in the other. The most rev. Prelate had spoken with feelings of satisfaction of the Conscience Clause as it stood in the Bill; but, for himself, he thought it was far from embodying the only just principle which should regulate the application of grants of public money for educational purposes. That principle, he held, ought to be this—that in every case where grants of public money were made for the purposes of education, full liberty ought to be given to the children of all denominations to attend the schools without any interference with the conscientious convictions of the parents. He could not understand on what possible ground they could defend a regulation that would apply only to cases in which building grants were made, and should not be applicable to instances in which public money was given in aid of schools in other shapes. Surely, conscientious feelings were as much entitled to respect in the one case as in the other? With regard to the proposed extension of the grants to districts and schools which did not now participate in them, he thought the Government had taken a wise step, and he did not quarrel with them because they did it in a tentative manner. It was wise to endeavour to remedy those educational deficiencies which existed in poor country districts, where a difficulty was now experienced in providing schools. Another part of the Bill which he wished to notice related to the educational Census. On reading the Bill, when he arrived at Part II., and read attentively the most elaborate provisions which it made for an educational Census, he could not help coming to the conclusion that there must have originally been a third part to the measure, which had since been abandoned; for, after providing a most elaborate machinery for obtaining statistical information as to the state of education in the various parts of the country, there the matter was abruptly left by the Bill. He believed they would never provide a remedy for those defects which were so much felt in those districts where voluntary zeal did not supply the necessary means of education, without having recourse to some form or other of rating. It was said the introduction of rating in any shape would destroy voluntary zeal; but surely this meant no more that a rating system would prove so much superior to the voluntary system that the latter would be abandoned. But he thought they were apt to attach rather too much importance to voluntary efforts for the support of schools, valuable though they were. He never could see how it should be regarded as so extremely satisfactory that in all parts of the country just those persons who were most generous, and who, like the clergy, were called upon from their position to make efforts of that kind, should have the whole burden thrown on them, and that the great mass of the community who were well able to pay should escape from contributing to a charge which was for the universal public benefit. He thought it would probably be wise in the first instance by a permissive Act to enable certain districts to rate themselves for the purpose of education, and the opportunity would then be afforded of judging whether the system might not be carried further. He admitted that it would be unfair to those who, under the voluntary system, had laid out their money in providing schools, to turn round suddenly and abandon the whole of the present system; but he thought that where that system had failed to provide a sufficiency of schools it might be supplemented by rating. He could not help thinking that this measure was due to the great stir which had been made in the country on the subject of education, and a consequent resolution of the Government to produce what should appear to be a great scheme. With respect to the appointment of a Minister of Education, he was at a loss to know what was to become of the Lord President of the Council under that proposal. The Lord President of the Council had no overwhelming work to do now; and when his duties as an Educational Minister were taken away, his office would be reduced very nearly to a sinecure. Perhaps it might be intended, after the adoption of this proposal, that the office of the Lord Privy Seal and that of the President of the Council should be combined. He approved of some of the details of the Bill; but, on the whole, he felt it his duty to support the Amendment.

THE EARL OF HARROWBY said, he objected altogether to the rating system of education, and thought that at the present conjuncture, when they were about to abolish rating for the support of the Church, it was most unwise and impolitic. If they introduced the system of rating in regard to education, they would be making the minority submit to the will of the majority in a matter which moved men's consciences quite as deeply as church rates did. Moreover, the existing burden of taxation, which was every year being augmented, already pressed very severely on the country districts, and he trusted the Legislature would not, by adopting the proposal of his noble Friend, add another element to the inequality that already existed. He questioned whether a rating system would work satisfactorily; and by reducing the management to a matter of routine we should do away with the social influence which attended the voluntary system. And until they were satisfied that the voluntary system, aided by the Parliamentary grants, had failed they would do well not to have recourse to a system of rating. The deficiencies which existed were not, he thought, so great as was sometimes represented; for the number of parishes having no school was comparatively small, and mostly contained but a small population. He saw no necessity of superseding the functions of the Committee of Council; and while thinking it desirable to embody some of the regulations, such as those affecting the religious susceptibilities of the people in an Act of Parliament, he thought others should be of a more elastic character, in order that changes might be made in them from time to time. The education of the Irish Roman Catholic population in our towns was a question which ought to be seriously grappled with; for it must be remembered that comparatively few of their fellow-countrymen of the upper and middle classes were settled among us, and that their necessities, therefore, could not be so well met by their co-religionists as was the case with Dissenters. Although he did not approve of the Bill as a whole he hoped it would be allowed to go into Committee, where he thought many of its provisions would be materially amended.

THE DUKE OF ARGYLL said, it was generally understood that the second reading of a Bill implied assent to its principles and to its main provisions; but there were many measures as to which it was difficult to say what were their principles or main provisions, consisting, as they did, of details, though those details might involve principles of a most important kind. The Amendment raised the question, to what category did this Bill belong? The noble Duke (the Duke of Marlborough) who introduced it, admitted very fairly that it was not a measure of very great importance, but stated that, though in itself of small scope and extent, it was a step in the right direction; and the most rev. Prelate (the Archbishop of Canterbury) appeared to take the same view of it. Now, he (the Duke of Argyll) should not object to this or any other Bill on the ground that it was a specimen of what was called bit-by-bit legislation, for nothing was ever accomplished in this country in any other manner. Instead of following out some abstract principle to its legitimate conclusions, we waited until evils had accumulated so as to be unbearable, and then adopted some small measure, which was followed up by others, on the ground that such and such principles had already been sanctioned. But he asked their Lordships to consider the position in which England was placed in regard to education. It could not be said that any national system of education existed in England; and he believed it would, at a future time, be a matter of astonishment that, alone among the enlightened nations of Europe, this country should have advanced to its present stage of civilization without any legislative provision for the education of its people. In Scotland there was a system which, though now inadequate to the requirements of the population, was in theory and practice strictly and truly a national system, enforced by the Legislature for the benefit of the people, and founded upon public rates. No such system had ever been adopted in England; nor was this absence of legislative provision justified by the existence of any other sufficient machinery. We allowed things to go on until we at last awoke to the fact that hundreds of thousands of the people were growing up to manhood without any education whatever, and it was the alarm occasioned by the consciousness of that fact some twenty years ago or more that induced the Government of that time, failing a national system of education, to adopt the principle of rates in aid to be given out of the Consolidated Fund to the various religious bodies. The noble Duke (the Duke of Marlborough), in his speech the other evening, quoted some very interesting, though not wholly accurate, statistics to show that through the stimulating zeal of the various religious bodies very great and successful efforts had been made to provide for the elementary education of the people. Now, he (the Duke of Argyll) for one, had never shared in the objections which had been taken to the principle of the Minutes in Council by some members of the Liberal party—namely, that the whole principle was false, as being based upon the principle of what was called sectarian education. It was, in his opinion, perfectly just and natural that the various religious bodies of the country should concern themselves with the elementary education of their own people, and he considered it rather an advantage than otherwise that secular education should be conducted in connection with definite systems of religious belief. That being the case, and this principle having been so long in operation, and vested interests of great magnitude being now established in connection with religious bodies, he was not an advocate for any system of national education which should attempt to upset that system altogether, but would desire rather, if possible, to supplement it. For, after all, what was the real objection to the operation of the present system? It was not an objection to its principle, it was simply this—that it was inadequate; it would not cover the ground which they desired to see covered; it was insufficient for the education of the whole people. He was afraid that this insufficiency of the denominational system was a state of things which was incident to the condition of our society, and to the relation in which the people stood to the various religious bodies. If it were true that the whole population of this country belonged to one or other of the religious sects, then it might be possible for those bodies to take charge of the religious education of the whole population. But they all knew—indeed, it was a notorious fact—that there were millions of the people of this country who did not belong to any particular religious body, and he was afraid, therefore, that it was in vain to hope that a system rigorously confined to the circle of religious feeling and of ecclesiastical action could be able to undertake the education of the whole population of the country. He thought his noble Friend on the cross Benches (the Earl of Harrowby) was rather sanguine in thinking that this system, without modification or change, could possibly educate the whole population. His noble Friend had referred to America to show that a system founded on rates involved great evils; but here he (the Duke of Argyll) would observe that a system of rates need not be such as to supersede the efforts of religious bodies. It was quite possible to have a system of rates which should be ancillary to the system of the Churches. But if his noble Friend wished to exhibit to the House the operation of rates, why did he think it necessary to cross the Atlantic and not the Tweed? There they had a system of rates without any of the ill effects to which his noble Friend had referred, though in Scotland the people were divided into many religious bodies, and sectarian animosity had often prevailed among them. With regard to education in the great towns—for, after all, this was the case for which they had especially to provide—and if there was any necessity for education at all it was for the population of our great cities—he desired to say a few words. In Glasgow, one of the largest cities in the kingdom—and though the zeal of the religious bodies was as keen in Scotland as in any part of the kingdom—the

Royal Commission reported that little more than a third of the children of school age attended schools of any kind, and with regard to school accommodation there was less than sufficient for one-half the children of school age. In Glasgow, there were in one district 80,000 children, with only four or five schools. So in England what they had to deal with was the inadequacy of the existing system; it was that that called for legislation, and any Bill whatever that might be passed would be useless unless it was sufficient to meet that necessity of the case. Now, what was there in this Bill to meet that necessity? Nothing whatever. It did not even give the power of assessment; and he would say that the very minimum of what Parliament ought to do should be to give the municipal bodies of our great towns the power to assess themselves for the maintenance of schools. If he had said this a few years ago, or even last year, the answer would have been that the principle of assessment was wholly inconsistent with the principle that secular education must be conducted in connection with the various religious bodies. But he was glad that this year one step at least had been taken by Her Majesty's Government which removed that objection altogether; for he understood the noble Duke the President of the Council the other day to say that the Government had made up their minds to allow purely secular schools—schools not in connection with any religious body, and schools in which no religion should be taught. That was a most important step, involving principles which would be quoted in future, with reference to other measures which would be pressed upon the attention of Parliament. If they had made up their minds to give public money in aid of schools giving purely secular education, what excuse would they have for not going a step further, and giving to the great municipal bodies the power of assessing themselves for the support of such schools? Well, the noble Duke the President of the Council—the greater part of whose speech the other evening, he must say, was occupied with reasons why nothing should be done—had stated with regard to this particular measure that he could not advise Parliament to give the power of assessment to the great cities, because, in many cases, the rates in those places already amounted to as much as 5*s.* or 6*s.* in the pound. What was the consequence to be deduced from that argument? Either that the great cities of England were so poor that they could not or would not educate their destitute children, or that the education of the many destitute children was not an object sufficiently important to justify even a still larger assessment. But did the noble Duke think the great cities of England would object to the necessary assessment, and would be content to leave themselves in their present condition? In his opinion, the noble Duke might leave it to the municipal bodies to judge for themselves with respect to the assessment. In this respect, therefore, the Bill was entirely valueless. But he would go further, and say that the embodiment in an Act of Parliament of the details of the New Code would be not only of no benefit, but would entail positive mischief as regarded education. He had had the honour of being a Member of the Committee of Privy Council which drew up the New Code, and he had no doubt, and never had a doubt, of the essential soundness of the principles on which that Code was founded. The Royal Commission in Scotland had reported to the effect that there were no insuperable difficulties in the way of the practical application of those principles to the education of the people. He held it to be a sound principle that the public money should be given only in support of schools which could prove that they were doing the work that Parliament intended that they should do. But, notwithstanding, he did not wish to see the New Code embodied in an Act of Parliament. He agreed with two of his noble Friends, that, failing a national system, the present was the best they could get; but he was thoroughly convinced, also, of the truth of what his noble Friend near him (the Earl of Airlie) had said, that if it had been necessary to pass those Minutes of Council through Parliament, even that makeshift of a system which now existed they would never have obtained. This resulted from the obvious fact that even a very small party in Parliament possessed a great power of obstruction. Their Lordships were aware that the Minutes of Council, involving as they did the principle of equal and indiscriminate support to all religious bodies for educational purposes, were at first viewed with the greatest jealousy by the great body of the Church of England. But to stereotype all the principles of the New Code in an Act of Parliament was taking a step backward, instead of forward. Turning to that part of the Bill which related to the Conscience Clause, he asked whether that was not also a retrograde step. He could assure the most rev. Prelate opposite who had spoken in support of this Bill, that he entirely sympathized with him and with those religious bodies who claimed to have intrusted to themselves the conduct of the religious education of their own children. An arbitrary interference with the teaching of the children belonging to the various religious bodies would be most unjustifiable; but, on the other hand, he thought that the State had a right to say that the public money should not be given to any school which did not promise that all children who attended it should have the benefit of its secular education without having its peculiar religious tenets forced upon them. The exaction of such a promise as the condition upon which the assistance of the State would be given to any particular school would be not adverse, but in the highest degree favourable to the various Christian Churches in this country. When persons were convinced that secular education was fairly and honestly offered to their children without any religious instruction being forced upon them, they would be all the more disposed to send their children to the school without conditions, where they would fall under the influence of that Christian teaching from which they would otherwise be entirely withdrawn. Acting under this belief, he entreated all those who represented the various branches of the Church of Christ in this country to accept the principle of the Conscience Clause, not grudgingly, nor jealously, nor half-heartedly, but freely and willingly. He would remind their Lordships that upwards of a century ago the General Assembly of the Established Church in Scotland decided that Roman Catholic children should be admitted into the parish schools in the Highlands, on the terms that no religious teaching was to be forced upon them, and he trusted that this wise and generous example would be followed by all religious bodies in this country. But, instead of adopting this large and high view, the Conscience Clause in the Bill before the House contained a string of narrow-minded and jealous restrictions, and breathed a spirit, he would say, which was most inimical to the interests of the Church of England. Instead of the Secretary of State being directed to distribute the public money solely among those schools which promised to give secular without enforcing religious education, it was left to him to exercise his discretion in five or six different contingencies, all of them turning on questions which were rather questions of opinion than of fact. Thus, by the 12th clause of the Bill, the Secretary of State was only empowered to insist on the Conscience Clause in case he found that the school was the only school available for the people. He must then make up his mind whether there were other schools within "convenient" distances, the distance not being specified in the Bill. Next, he must consider whether, within the "convenient distances," there was any "considerable" number of Dissenters, or if there was another school "suitable" for those Dissenters. In all other cases, he might at discretion do away with the Conscience Clause altogether. But while contending that the principle of a Conscience Clause should be adopted in all schools, he (the Duke of Argyll) felt that the carrying of it into effect must be left to the honour and discretion of the religious bodies, and he trusted that it would have the support of the clergy of the Church of England. This Bill was a very small measure; but what was worse, it was a step in the wrong direction. Its faults were the more important when it was remembered that it was the first attempt to legislate upon education, all former proceedings having been based upon the Minutes of Council. The structure of the Bill should therefore be looked upon with the utmost jealousy. It involved a retrograde principle, and, therefore their Lordships should not give it a second reading .Should his noble Friend press his Motion to a division, he should feel bound to vote against the second reading of the Bill; but, in any case, he could not refrain from expressing his earnest hope that this measure would never pass into a law nor receive the sanction of their Lordships or of the other House of Parliament.

THE BISHOP OF LINCOLN expressed his regret that one clause of the Bill recognized the principle of giving aid to schools taught by an uncertificated teacher. That was called free trade in education; but the noble Duke who had just spoken (the Duke of Argyll) had said in a book he had written that the rules of political economy must occasionally give way to a higher law. The principle of requiring certificates from teachers was adopted in all the most civilized countries of the world; and Mr. Fraser had shown that considerable injury was done to the cause of education in the United States of America, because there the rule was not rigidly enforced. It was said, however, that there were in this country uncertificated teachers, who were performing their duties as efficiently as the teachers who had obtained certificates, and it was unjust to withhold, in such cases, the public money. Now, he must simply deny the fact. He did not believe there was any considerable number of instances. No doubt there were a number of schools not under inspection; but he believed those who had paid attention to the matter would not be prepared to say that schools not under inspection were likely to be very efficient schools. The diocesan Inspectors visited schools of all kinds, and, in his own diocese, the opinion was that although, perhaps, in each district one or two uncertificated teachers taught very fairly, yet there was no comparison between the efficiency of those who held certificates and those who did not. But if certificates were necessary as tests of capacity in teaching, they were still more important as guarantees of character. The holding of a certificate was a great guarantee of character. No one could have so clean a bill of moral health as the schoolmaster or mistress who held a certificate. He ventured to think they could not afford to part with that security for the moral fitness of a teacher for his work which a certificate supplied. They might depend upon it that, if they introduced the principle of paying for results without requiring a certificate, the number of certificated teachers would very rapidly diminish. The effect in country parishes would be that managers, seeing they could get a grant with an uncertificated teacher at a cheaper rate, would relieve themselves of the burden which now fell on them; the inducement for pupil-teachers to go into training would be diminished, and the price of certificated masters would proportionately be raised, while the standard of education in the schools would gradually, but surely, be lowered. And this they could not afford. He hoped the Government would not press this clause of the Bill.

Earl GRANVILLE said, he was not often in the habit of trespassing long on their Lordships' indulgence, and he had at present personal reasons for not desiring to remain long on his legs. He had stated on a previous occasion what occurred to him with regard to the different provisions of this Bill, and on further consideration he did not know that he should withdraw anything he then advanced. No doubt there was some difficulty in knowing what to do with the Bill at this stage. Several powerful speeches had been made against the second reading: on the other hand, the most rev. Prelate (the Archbishop of Canterbury) had supported it, but then he approved it with reference to the Conscience clause only; while the noble Earl on the cross Bench (the Earl of Harrowby) disapproved of what the Bill would do, and highly approved of its not doing anything else. He regretted to perceive that whenever any plausible demand was made, if it could be met by a little increase in the grants of public money, without dissatisfying any particular class, it was too much the tendency of the Government to yield to it. This was a very pleasant process to the recipient, no doubt; and, although the taxpayer might grumble, no one seemed disposed to take on himself the invidious task of checking the needless expenditure which was thus incurred. He was not, however, by any means prepared to express a general condemnation of the Bill. He approved the extension of the grants to secular schools, which had hitherto been denied that aid. He believed that was just and right, and he was very much obliged to the Government for having so met the sort of prejudice which existed on this subject. He also approved the system of grants to evening schools: he believed that was quite right. The step proposed with reference to building grants was a right step; but it was more doubtful. He believed, however, that it would be a great advantage to have good school buildings all over the country. Then came the most important question of certificated teachers. He felt unmitigated pleasure in hearing what the right rev. Prelate (the Bishop of Lincoln) said on this subject, and no one was better entitled to speak on the subject of education. He said that infinite mischief would result from what he called the thin edge of the wedge, by admitting uncertificated masters. This he thought a matter of great importance; and though, by allowing the employment of uncertificated teachers, some schools might be helped, they would be very few; for there was scarcely a schoolmaster or schoolmistress at all fit to teach who might not obtain the lowest class of certificate. There had been complaints made against the late Government for instituting the principle of payment by results; but the fact was that the practice which they had adopted might more correctly be described as that of non-payment for non-results. The object of the existing system was to take care that the money given by the State should be expended for the purpose of securing the greatest possible efficiency. If the necessity for a certificate were dispensed with, a man without any character at all might start a school; and if he were only able to produce children who could read, write, and count, he would get the public grant. Another point of importance had reference to the appointment of a Minister of Education, and the desirability of such an appointment had been very much urged by some of those who took an interest in the cause of education. He, however, had great doubts as to the expediency of an appointment of that kind. He was aware it was said that no one knew who were the Lords of Council, or what was the amount of their responsibility; but he had not the slightest doubt whatever that if any great maladministration were at present to be detected in the Education Committee of the Privy Council, the person who would be subject to the severest Parliamentary censure on that account would be no other than the noble Duke the President of the Council. Technically and practically, the President was responsible for anything that went wrong; and the admirable civil servants belonging to the Department, so long as they acted under their political chief, had absolutely no responsibility whatever. He might be asked how it was—if he entertained that opinion—that Mr. Lowe had resigned while he had retained his office when a Parliamentary censure was passed upon the conduct of the Council? But he believed he could offer a satisfactory explanation upon that point. He tendered his resignation upon that occasion, as Mr. Lowe did, to Lord Palmerston, who requested him to withdraw it. He (Earl Granville) stated that he could not do so unless Lord Palmerston could induce the House of Commons to withdraw the stigma they had attached to the Council. Lord Palmerston effected that object, and he (Earl Granville) accordingly withdrew his resignation; whilst Mr. Lowe, who thought that he had been the subject of a personal censure, refused to adopt the same course. He was conscious that during his tenure of office he had been guilty of many sins both of commission and omission, but on the most careful reflection he did not believe that he should have avoided any one of them if he had been a Secretary of State instead of President of the Council. In reference to the appointment of a Minister of Education, he might further state that he thought it objectionable to multiply offices giving seats in the Cabinet, which he was disposed to think was already too large; and it was also not without objection to increase the number of the Secretaries of State. That question had some bearing on a point to which two noble Lords had already referred—namely, with respect to stereotyping in an Act of Parliament the largest portion of the Revised Code. The Council were obliged to add supplementary rules after the Revised Code had been issued, and he defied any person who held the office of President of the Committee of the Council, who had a real view to the public interest, not to find himself constantly engaged in making slight improvements and filling up small gaps in the system to prevent it from falling into confusion. He was, on the other hand, aware that the noble Duke at the head of the Department might have felt that the concessions which he was asked to make would lead to concessions much more serious of public money, as well as to a diminution of the check upon public expenditure, and that he might have deemed it advisable to embody the whole of these matters in an Act of Parliament, because such a step might have the double effect of preventing the whole system from going backwards, and at the same time of preventing encroachment. But, be that as it might, he now came to the most important part of the Bill—the Conscience Clause. So important was it, that the considerations connected with it were of themselves sufficient to prevent him from voting against the second reading of the measure. His noble Friend who moved its rejection (the Earl of Airlie) had, indeed, shown that the Conscience Clause, as at present framed, was entirely unsatisfactory, and for his own part he (Earl Granville) thought that the wording of it must be amended, and that its scope must be extended. The whole of the Members sitting on the Liberal side in the House of Commons were, he believed, in favour of a Conscience Clause, and the most eminent Members of the Government had at different times signified their adhesion to that view. The best arguments advanced in favour of such a clause had, he might add, emanated from the pens of clergymen; while the Commission to which he had already referred had strongly recommended its adoption in the case of endowed schools. But it was of still greater importance that, a Conscience Clause having been proposed by the Government as a Government, the second reading of the Bill in which it was embodied should be carried; for the passing of such a measure, even in its present imperfect shape, would, he felt, stop for ever that *non possumus* argument which was advanced to show that it was impossible the clergy could conscientiously accept such a clause. Of one thing he felt perfectly sure, and that was, that nothing was of greater importance for the Church of England, and nothing more certain to arrest the secularization of the children of this country, than the sanction by Parliament of a clause which largely satisfied the conscientious scruples and objections of the Nonconformist portion of the population. He was also desirous of voting for the second reading of the Bill because it was, he thought, impossible not to perceive the truth of the observation of the noble Earl on the cross Benches (the Earl of Kimberley) that it was only a portion of a scheme—in fact, the tragedy of *Hamlet* with the part of Hamlet left out; and if it were sent down to the other House modified and improved in a great many particulars, an excellent measure might be produced, quite consistent with its provisions; or, what was still better, the Bill might be brought back to their Lordships' House with the part of Hamlet re-inserted, and that with the sanction of the Government. His noble Friend (Earl Russell) concurred, he believed, in the view which he had expressed; and he ventured to appeal to his noble Friend behind not to press, under the circumstances, his Motion for the rejection of the Bill to a division.

The Duke of MARLBOROUGH said, the noble Earl who had moved the Amendment (the Earl of Airlie) had adopted the somewhat unusual course of comparing the provisions of the measure under discussion with those of another which had not yet been brought under their Lordships' notice, but was in the other House of Parliament. He should not, however, follow the noble Earl into that comparison, but should confine his remarks to the other points more immediately bearing upon the Bill before the House. The first point to which he would advert was the objection taken to the proposition to create a Minister of Education. It seemed to be assumed that the proposal had reference simply to those duties which were now connected with Parliamentary Grants and with the administration of education as it was now conducted by the Committee of Council. He (the Duke of Marlborough) must confess that he should not deem it expedient to appoint such an official if his functions were to be confined simply to the performance of those duties. But their Lordships could scarcely fail to perceive that there was beyond the performance of those duties a very wide and important field to be taken into account. He need hardly remind the House of the various Commissions that had been appointed to inquire into the state of education throughout the country, and that within the scope of their inquiries came the primary schools, the Irish endowed schools, the middle class schools, the public schools, and the large grants in connection with them which it was the duty of the Privy Council to administer, and which now amounted to more than £900,000 a year. When they considered how various and important all these subjects were, he thought that Parliament could hardly deal with them except through the agency of some responsible Minister; and he thought the appointment of a responsible Minister of Education, capable of dealing with the subject in a comprehensive spirit, and of framing measures with the view of consolidating and uniting the different branches of primary and secondary education into one great whole, would be likely to be productive of the greatest possible advantage. The noble Earl who had just spoken had asked him, whether he was of opinion that the duties of the Committee of Council on Education could be better administered by a Secretary of State than, as was at present the case, by a President, assisted by a Vice President, and he (the Duke of Marlborough) must say he concurred with the noble Earl in thinking that they would not be so far as those duties went. But then, there were beyond those the important functions to which he had adverted, to which it was impossible for the President and Vice President of the Committee of Council, with the work which they had already on hand, adequately to devote their attention. A notion seemed to prevail that the President of the Council had little or nothing to do but to administer the Educational Grant and to preside over the Committee of Council on Education. But that was not so. Some time ago he prepared a Minute of what were the duties of the President of the Council which would show their Lordships what were the duties of that Department. Besides the Education Grants, the President of the Council had to attend to the subject of quarantine, the affairs of the Channel Islands, municipal charters and charters to companies and corporations, questions relating to diseases of cattle, University statutes, public health, the Diseases Prevention and Nuisances Removal Acts, the Medical Act of 1858, ecclesiastical schemes and representations, and a great variety of other matters. It might be safely said that if the Department of the Privy Council now intrusted with the administration of public health were enlarged, as it might be, by a consolidation of the statutes relating to that branch of business, an ample amount of occupation would be provided for the President of the Council, irrespective of those great subjects of education to which he had alluded. The next objection to which he would refer was that taken to the embodiment of the provisions of the Revised Code in an Act of Parliament; but their Lordships must understand that that part of the Bill was a necessary consequence of there being a Minister of Education. The Minister of Education took the place of the Committee of Council, and therefore the latter was no longer a body existing for the purpose of making Minutes. Those Minutes, therefore, must be reduced to Regulations and Orders of the Secretary of State; but what was to become of the Minutes which already existed? If the subject of education was henceforth to be committed to a Secretary of State, what legislative sanction could be given to the Revised Code, if it was to continue in force, unless it was included in an Act of Parliament?—for it now had no operation except as being a Minute of the Committee of Council. But it was said the Revised Code, by being placed in an Act of Parliament, would be thrown into the form of a hard and fast measure, incapable of improvement, and not as intelligible as it had hitherto been. Now, he thought their Lordships would admit that if ever there was a concatenation of regulations of an abstruse and complicated character it was the Revised Code in its present shape. It was, he might say without exaggeration, a mass of the greatest confusion, and any person reading it for the first time would find extreme difficulty in making head or tail of it. What the Government, however, proposed was to bring those parts of the Revised Code which had been proved by the test of experience to be those principles on which Parliament might safely act in the distribution of the Parliamentary Grant into a statute, but at the same time to give as much latitude and power of expansion as might be necessary to the Minister who presided over the Department. The portions of the Revised Code which it was thought could be comprised in the Bill were, first, the conditions on which building grants were made; and it was very requisite that they should be placed in an Act of Parliament. The next portion of the Revised Code to be inserted in the Bill referred to the teachers and the conditions of the Grant to non-certificated teachers. He entirely agreed with the noble Earl opposite (Earl Granville) as to the immense importance of maintaining certificated teachers, and he trusted that nothing would ever obtain the sanction of Parliament which would at all imperil the present regulations on that point, to which he attached the very greatest weight. Still, he felt quite sure, that if they pertinaciously adhered to an obstructive principle, and refused to make any concession in regard to the employment of non-certificated teachers, they would run an infinitely greater risk of having the whole of that system swept away, than if they allowed concessions to be made in the moderate and guarded manner proposed by that Bill. The rule requiring a certificated teacher to be employed in all cases where the maximum grant was given was a sufficient security against the loss of the principle of having certificated teachers. The next branch of the Revised Code included in the Bill related to the annual grants. Exception had been taken in the course of the discussion to those provisions of the measure, on the ground of the uncertainty they would produce. Now, he believed they would have the very opposite effect, and that, instead of leading to increased expenditure, extravagance and uncertainty, they would lay down definitely, by an Act of Parliament the conditions on which Parliament, was willing to vote money, and also the actual sums which it was willing to vote. It should be remembered that the Vote for Education had attained as large an amount as £900,000, and that in a ratio that was increasing from year to year; and moreover that that increase had been produced by changes made in the Office to a great extent, and made, he ventured to say, almost without the authority of Parliament; because they had it on the testimony of Mr. Lowe that the Revised Code, though laid from time to time before Parliament, was rarely considered by any one. Those changes were made by a kind of spurious mode of legislation which he thought was extremely objectionable. When, therefore, that was converted into a system based on the authority of an Act of Parliament, they would thereby offer the public the best guarantee that the expenditure for elementary education would not be excessive, and that if it increased at all, it was only through the ordinary and natural increase of the schools applying for assistance, and not through various alterations, made by the whim or caprice of a Minister of the Crown. The next part of the Revised Code was the conditions under which pupil-teachers were employed. Nothing could be more important than the employment of pupil-teachers, and the conditions relating to that subject ought not to be changed, but were worthy of being made a permanent portion of our national system. Again, the conditions on which grants were made to normal schools were sufficiently known and settled to obviate any inconvenience in their being incorporated, as they ought to be, in an Act of Parliament, along with the other great sections of the Revised Code. He was almost unwilling to trouble their Lordships at that late hour by any reference to the subject of rating; but he would remind their Lordships that in introducing the Bill he had distinctly stated that the Government did not regard it as a complete measure. The question of rating was one that had excited a vast amount of controversy in the country; and although several of their Lordships had that night expressed strong opinions in favour of that principle, he was by no means satisfied that the proposals for rating had obtained general concurrence from the public. He believed that a very large section of the community was opposed to rating for education, upon conscientious grounds as well as upon fiscal grounds. It was impossible to see the burdens that were gradually increasing in the large towns and other districts without perceiving that it was very dangerous, without grave consideration, and without being perfectly certain that municipal bodies themselves were willing to undertake them, to impose additional burdens upon them. When it was urged, as it had been by a noble Duke (the Duke of Argyll) that a power might be given to municipal bodies to rate themselves, he might remind their Lordships, by way of illustration, that a few years ago an Act, called the Free Libraries Act, was passed, by which municipal corporations were empowered to rate themselves for scientific and literary purposes; but that power had hitherto proved almost entirely nugatory, the Act having been put in operation to a very small extent indeed, if at all. If rating powers were given to municipal bodies, they would in all probability remain a dead letter, and he did not believe a rating system would successfully provide for elementary education unless the Minister of Education had the power of compulsion. As to the Conscience Clause he was glad to learn that the course pursued by the Government was so strongly approved by the noble Earl opposite (Earl Granville), who thought it of such merit as to justify the second reading of the Bill, notwithstanding his objections to other portions of it. For his own part he thought the principle of a Conscience Clause was a sound one to this extent—that where a child could not obtain secular instruction, except in a school where the religious teaching would do violence to its conscience, or to the consciences of the parents, parental authority ought to be recognized, and there ought to be relief from the disabilities which would otherwise be incurred. The Government had, however, endeavoured to meet the objections of many persons to such a clause by providing that it should be applied only in cases where but one school existed. To apply it to the annual grants would be unwise and impolitic, since large numbers of schools had been built on the faith of a Conscience Clause not being required, and were, in fact, purely denominational schools. *Ex post facto* legislation of that kind would be very unfair. With regard to an educational Census, the object was to obtain accurate information, and, whether Parliament hereafter agreed to a rating system or continued to rely on voluntary effort, such information would be of the utmost importance. He thought it probable, indeed, that the taking of such a census in any district, and the apprehension that, failing all other means, Parliament would feel itself justified in enforcing a system of rating, would induce a great amount of educational activity, and would test to the utmost the capacity of the voluntary system. The Government did not pretend that this was a complete measure; but they believed that by the embodiment of the Revised Code in the Act, by the appointment of a Minister of Education, and by the concession with regard to secular and evening schools the utmost expansion would be given to that voluntary action which had already produced such great results. He hoped to see the Bill passed into law during the present Session, and then, when the wants of the country become known, and the results of the various Commissions were reduced into the shape of Acts of Parliament, this might prove one of a series of measures which might hereafter be effective in bringing about such a combination as might result in a great system of national education.

THE EARL OF AIRLIE, in withdrawing the Amendment, vindicated his right of comparing the Bill with the measure discussed at the recent Manchester Congress, and expressed a hope that time would be given before the Bill went into Committee to frame Amendments.

Amendment (by Leave of the House) *withdrawn.*

Then the original Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* the 7th of *May* next.

House adjourned at a quarter past Eight o'clock, till To-morrow, half past Ten o'clock.

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## HOUSE OF COMMONS,

*Monday, April* 27, 1868.

MINUTES.]—SELECT COMMITTEE—On Standing Orders, Mr. Scourfield *added;* on Committee of Selection, Mr. Scourfield *added;* on Public Accounts, Mr. Liddell *added.*

PUBLIC BILLS—*Resolutions in Committee*—Established Church (Ireland)—R.P.

*Ordered*—Military at Elections (Ireland)*; Cotton Statistics*; Documentary Evidence.*

*First Reading*—Military at Elections (Ireland)* [95]; Cotton Statistics* [96]; Documentary Evidence* [97].

*Second Reading*—Petroleum Act Amendment* [93].

*Committee*—Broughty Ferry Provisional Order Confirmation* [90].

*Report*—Broughty Ferry Provisional Order Confirmation* [90].

*Considered as amended*—Capital Punishment within Prisons* [36]; Marriages (Frampton Mansel)* [79]; United Parishes (Scotland)* [81].

### THAMES EMBANKMENT—STEAMBOAT PIERS.—QUESTION.

MR. WATKIN said, in the absence of his hon. Friend (Mr. H. Lewis), he would beg to ask the hon. Member for Bath, Whether the Metropolitan Board of Works intend to give any compensation to those persons who have, with the consent of the Thames Conservancy, erected and maintained piers for the accommodation of steamboat passengers, but which piers will be removed on the completion of the Embankment?

MR. TITE said, in reply, that there could be no doubt that when the Metropolitan Board of Works took away or obstructed the enjoyment of any existing stairs, pier, or landing-place, they were bound to take care that some other pier or landing-place should be erected and provided for the public. This had been done, or was doing, at very great expense, and he believed with very great advantage to the public. They were advised that, that being done under the clause of the Act of Parliament under which these works were constructed, they were not liable to any personal compensation in respect to any rights referred to by the hon. Member. The Act the Board were carrying out was an Act brought in and passed by Her Majesty's Government, and handed over to the Metropolitan Board to carry into effect, who were bound by it, and not at liberty to go beyond it. If anyone thought himself wronged by their proceedings, under the 21st section of the Act, application might be made to the Court of Queen's Bench, when the rights of parties would, of course, be respected and attended to.

### CONSECRATION AND ORDINATION FEES.—QUESTION.

MR. MONK said, he wished to ask the Secretary to the Treasury, Whether any steps have been taken to settle a Table of Fees on Consecrations and Ordinations, with the consent of the Lords Commissioners of Her Majesty's Treasury, under the provisions of the Act of last Session?

MR. SCLATER-BOOTH, in reply, said, the consent of the Treasury had not yet been asked to any such Table as the hon. Member referred to; but one was being prepared by the two Archbishops and the Lord Chancellor, and the result would shortly be presented to the House.

### ARMY—OFFICERS HOLDING CIVIL APPOINTMENTS.—QUESTION.

MR. WHITE said, he would beg to ask Mr. Chancellor of the Exchequer, Why the List of Officers receiving Half-pay with Civil Appointments is not presented to Parliament, as it should be, in pursuance of the Statute 29 & 30 *Vict.* c. 91?

SIR JOHN PAKINGTON said, in reply, that the Return referred to by the hon. Member was made up to the 31st of March, and would have been laid on the table about the middle of April, but that the Easter Recess had occurred at an unusual period. It would be laid on the table, however, in the course of a few days.

### CARRIAGE OF PARCELS BY RAILWAY.

#### QUESTION.

MR. W. E. FORSTER said, he wished to ask the Vice President of the Board of Trade, Whether it is the intention of the Government to propose to the House during the Session any, and if any what, alteration in the Law affecting the carriage of parcels by Railways?

MR. STEPHEN CAVE said, in reply, that a clause in a Bill now under the charge of the President of the Board of Trade dealt with this subject, and he was glad to have this opportunity of removing a misconception which nothing in the clause, as originally drawn, warranted, though he admitted it required alteration in other respects. An idea had become prevalent that it was the Government's intention to change the law with respect to "packed" parcels, and to interfere with the practice of sending various articles to different consignees, packed within one inclosure. The Government never had any intention of the kind, but proposed to deal with another practice, that of a carrier collecting a variety of parcels of different descriptions and different values, and bringing all to the railway, in bulk as it were, unpacked and unassorted; large parcels of small value being mixed with small parcels of large value. For these, the carriers paid, in the aggregate, a low charge, as if these loose packages were one parcel, while they themselves received from the individual consignors or consignees a separate payment for each, the difference between the two rates being their profit. This custom was productive of great convenience to the public in many places; but the railway companies complained that they were exposed to much trouble and risk in collecting and carrying articles of value of which they were frequently ignorant, and it was under consideration whether the case might not be fairly met either by some system of classification, or a small charge for the trouble and risk. But it never was the intention of the Government to interfere with packed parcels properly so called, nor to place the carriers in a position different from that of any other consignor, though he admitted that apprehension on this latter ground was justifiable in consequence of the draughtsman not having fully understood his instructions.

MR. W. E. FORSTER said, he wished to know, whether it is the intention of the Board of Trade to take some steps for the purpose of informing the public of their present views in respect to the matter referred to?

MR. STEPHEN CAVE said, the question would come before the Board of Trade to-morrow. He thought that the answer which he had just given would be intelligible enough to the public.

### DUKE OF EDINBURGH.

#### MOTION FOR AN ADDRESS.

MR. DISRAELI: Sir, in rising to make a Motion before the Orders of the day, I doubt not the House has anticipated its purpose. It is to move an Address to Her Majesty, expressing on the part of this House its sympathy with Her Majesty on that distressing intelligence which arrived on Saturday last, and which occasioned Her Majesty so much grief, and still occasions her so much anxiety. I am sure that mine will be the common voice, when I express the sorrow and indignation with which the House and the country heard of the attempt to assassinate His Royal Highness the Duke of Edinburgh. If anything could aggravate the atrocity of that act it would be, I think, the circumstance under which it was perpetrated. His Royal Highness was visiting the most distant possessions of the Sovereign; he was—not in the letter, but to a certain degree, in the spirit—representing the Majesty of England; he had elicited a sentiment of earnest enthusiasm, which, I am sure, must have touched the heart of this country, and he had commanded throughout the whole of his travels the reception which was due to his intelligence and to his cordial manners. At the very moment this act was perpetrated, he was fulfilling one of those offices which are the most graceful appanages of his illustrious rank; he was establishing a new charity—and that charity, in favour of the noble profession to which he is devoted—in which, I may say, he has distinguished himself, and of which, I trust, he will live to be an ornament. It is impossible, in noticing this subject, to avoid referring to the cause of such an act. We live in an age of progress, or we sometimes flatter ourselves that this is our happy fate. But there appear to be cycles of our progress in which the worst passions and habits of distant ages are revived. Some centuries ago the world was tortured with the conviction that there was some mysterious power in existence which could command in every camp, and court, and capital of the world, a poniard at its disposal and devotion. It seems at this time, too, that some dark confederacy of the kind is spreading over the world. All I can say is, I regret that, for a moment, such acts should have been associated with the name of Ireland. I am convinced myself, as I have stated before in this House, that the imputation is unjust. I believe that these acts — and the characters who perpetrate them — are the distempered consequences of civil wars, and disorganized societies; that when their dark invasion first touched the soil of Ireland—the nation, as a whole, entirely repudiated them. And the manner in which, in that land, another son of the Queen has recently been received, has proved that the loyalty of the Irish nation is unchanged and undiminished; and that those amiable and generous feelings, which have always been the characteristic of the people, flourish with the same vigour that we have before recognized. I trust that, under these circumstances, I may move—

"That an humble Address be presented to Her Majesty, to convey to Her Majesty the expression of the sorrow and indignation with which this House has learned the atrocious attempt to assassinate His Royal Highness the Duke of Edinburgh, while on a visit to Her Majesty's loyal Australian Colonies, and of their heartfelt congratulations to Her Majesty on His preservation from mortal injury; and to assure Her Majesty of the sympathy of this House in Her Majesty's present anxiety, and of their earnest hope for the speedy recovery of His Royal Highness."

MR. GLADSTONE: Sir, I rise for the purpose of seconding the Address which has just been moved by the right hon. Gentleman. I heartily concur—every man must concur, in the sentiment of sorrow and in the sentiment of indignation which are expressed in the terms of that Address. And we must all, I think, feel a sincere thankfulness to the Almighty who has been pleased on this critical occasion—if not entirely to paralyze the arm of the assassin, yet to prevent, at all events, as we trust, the fatal consequences at which the assassin aimed. Now, Sir, I do not know whether, judging as I judge, merely from expressions contained in the telegraphic intelligence, it would be wise or safe for me to assume as positively demonstrated that this foul and loathsome deed is connected with Fenianism. If it be so, I am sorry to say it only adds another dark shadow to the disgrace which previous acts of horror have brought on the name of that conspiracy. But whether that be so, or whether it be not, it cannot in the main affect the sentiment with which I am sure this Address will be voted by the House. Every man who has the smallest share of human feeling must be profoundly moved, on the one hand, at this new cause of anxiety to Her Majesty, and, on the other, at the fact that Her Majesty has been spared another deep and severe affliction in the midst of that crushing affliction which has darkened her days. And as regards the Prince himself, undoubtedly if anything could have disarmed the hand of the criminal one would have thought it would have been his youth, his great intelligence, and the kindly and genial manners which have endeared him to all with whom he has been brought in contact. This is a subject in which few words, I think, are best, the object being simply to convey to the foot of the Throne the dutiful and loyal assurance of sentiment which we entertain in common. I will only say, therefore, that I most cordially second the Motion of the right hon. Gentleman.

MR. WATKIN: It is stated that a more recent telegram has been received respecting the health of his Royal Highness, and announcing that the person who fired at him has been tried, found guilty, and sentenced to be hanged. I wish to know if that be true?

*Resolved, Nemine Contradicente,* That an humble Address be presented to Her Majesty, to convey to Her Majesty the expression of the sorrow and indignation with which this House has learned the atrocious attempt to assassinate His Royal Highness the Duke of Edinburgh, while on a visit to Her Majesty's loyal Australian Colonies, and of their heartfelt congratulations to Her Majesty on His preservation from mortal injury; and to assure Her Majesty of the sympathy of this House in Her Majesty's present anxiety, and of their earnest hope for the speedy recovery of His Royal Highness.—(*Mr. Disraeli.*)

To be presented by Privy Councillors.

## ABYSSINIAN EXPEDITION.—QUESTION.

MR. LAYARD: Perhaps I may be allowed to ask a Question of some importance of the Secretary of State for India. I do not ask whether the official Report which has appeared in the papers with regard to the attack upon Magdala and the release of the captives is true — there can be no doubt of that — but whether there is any other information which he can communicate to the House. I trust the House will permit me to offer my congratulations to the right hon. Gentleman on the triumphant success of the expedition, and to express the admiration which I am certain this House feels for the skill, the forethought, and the prudence displayed by Sir Robert Napier, and for the gallantry and devotion of the troops under his command?

MR. DISRAELI: I rise, Sir, at the desire of my right hon. Friend the Secretary of State for India to offer a few observations to the House upon this subject. This certainly is a topic which we can approach with unmixed satisfaction. Her Majesty's Government took the most extensive means that they could yesterday to ensure that the news of the success of Her Majesty's arms should be known as widely as possible; but it is the unanimous wish of my Colleagues, and it will, I am sure, be more respectful to the House—though I have no further news to communicate—that I should in a formal manner confirm the authenticity of the statement which has been made. It will be my duty shortly to propose a Motion by command of Her Majesty, in connection with this subject, which will give to hon. Gentlemen every opportunity of expressing their opinions; and on the present occasion, as there is no Motion before the House, I shall make very few additional observations. But in communicating to the House the authenticity of this information I feel that I should not be doing my duty if I did not congratulate the House upon the events that have occurred. I am sure the House will agree with me that, as a feat of arms, it would be difficult, probably impossible, to find its parallel for completeness and for precision. Her Majesty's troops — the soldiers who have been engaged, and the great leader who directed the operations — are, I think, equally entitled to the gratitude which the House, I doubt not, will accord to them. And perhaps, as far as the soldiers are concerned, the House will allow me to read a passage from a letter of Sir Robert Napier received at the same time as the recent intelligence, but written before the last advance. He says—this is written on the 23rd—

> "All the troops are well, and evince a most admirable spirit, emulating each other in cheerful devotion to the interests of the expedition. Officers and men alike deserve every praise."

So much for the character of the troops as given by the general. What shall we say of the general himself? On another occasion we may touch upon a career which, upon many occasions, has been so eminent. But with regard to the present expedition, let me say, for myself, that when you consider its particular character, the march of 400 miles into an unknown country, the providence, the sagacity, the patience, and, above all, the firmness of the commander, it resembles more than any other event in history that I can compare it with the advance of Cortez into Mexico. But there is this fortunate difference between the Abyssinian Expedition and the great invasion of Cortez—that we did not enter Abyssinia to despoil the innocent, but in a spirit of justice, humanity, religion, and civilization, and that we are about now to vacate the country in a manner which will prove to the world the purity of our purpose.

COLONEL SYKES: Is it true that King Theodore was found dead; and, if so, in what manner did he meet with his death?

SIR STAFFORD NORTHCOTE: He was found dead, but we have no information as to the manner of his death.

## ESTABLISHED CHURCH (IRELAND).

### COMMITTEE.

Order for Committee read.

Acts *considered* in Committee.

(1.) Question again proposed,

"That it is necessary that the Established Church of Ireland should cease to exist as an

Establishment, due regard being had to all personal interests and to all individual rights of property."—(*Mr. Gladstone.*)

Mr. WATKIN—who had placed the following Amendment on the Paper:—

> "After the word 'That,' insert 'while this Committee considers that the future position of the Established Church in Ireland should be finally decided upon by the Reformed Parliament, to be convened at the earliest period after the Electoral Revision of the present year, it now resolves that'"—

said, an independent Member who proposes an Amendment to a Resolution which partakes more or less a party character, generally places himself in a dilemma, for he obtains the disapprobation of his friends, and the more dangerous approbation of his opponents. He was fortunate in having, since giving Notice of the Amendment or rather, preface to the Resolutions, heard the speech in which the right hon. Gentleman extended the scope of his Resolutions. The Resolutions seemed to indicate that the disestablishment of the Irish Church would be a settlement of the Irish Church question. He did not concur in that view, and he thought the House would be misleading the country if it expressed such an opinion. But the right hon. Gentleman in his speech said he meant to put an end to all endowment out of the funds of the State for the support of any sect or religion in Ireland. That was a distinct issue explicitly put, and the country would have to settle it. He had voted with the right hon. Gentleman the other night because there was nothing he could quarrel with in his Resolutions, except that they might have been more explicit; and if the right hon. Gentleman's speech could have been put from the Chair, a larger number of Members might vote for it than for the Resolutions. He had always looked upon the Irish Church as the greatest of all dangers to the English Church; for the one a logical reason could be offered, for the other there was no argument but the power of a minority to preserve it. The substitution of the voluntary system for the Establishment in Ireland would be a powerful means of starting afresh the Protestant religion in that country. A great Churchman and a great man—Dr. Arnold, of Rugby—used these words—

> "Whether Ireland remain in its present barbarism, or grow in wealth and civilization, in either case the downfall of the present Establishment is certain; a savage people will not endure the insult of a hostile religion; a civilized one will reasonably insist on having their own."

And in his works, speaking of the Irish people, he said—

> "They see a Church richly supported by the spoils of their own Church Establishment, in whose tenets not one-tenth part of the people believe. Is it possible to believe this can endure?"

He (Mr. Watkin) believed with Dr. Arnold that it could not endure. But then comes the question—how far the right hon. Gentleman can proceed under present circumstances? Household suffrage will make a far wider and wiser settlement of the whole Irish question than this Parliament can accomplish. This Parliament ought not to be kept alive to serve any party purpose. And the country would not be satisfied unless an assurance be given by either the right hon. Gentleman the Prime Minister or by the right hon. Member for South Lancashire—who may be Prime Minister in a few weeks—that the Reformed Parliament shall be called together at the earliest possible period next year, in order to deal with the whole question of Ireland. His proposed addition enforced this condition. He did not believe any Minister will commit the mistake of dissolving this Parliament on the question. The House will no doubt pass the Resolutions, and he desired to throw no impediment in the way; and as the hon. Baronet (Sir Frederick Heygate) has given notice of an Amendment which will raise the whole question of Establishments, he (Mr. Watkin) would not move the Amendment of which he had given Notice.

Mr. GORST said, he did not think this could be treated as an Irish question. It was one which deeply affected the people of this country. He did not wonder at the Irish Roman Catholic Members looking on this, as they did on all other questions, from a peculiarly Irish point of view. They said, that the Irish Establishment was an heretical one; that it did no social good to the people of that country, and that the whole mass of the Irish people were against it. If Ireland were a separate country, they would not attempt to disestablish the Irish Church, but would simply change its religion and make it Roman Catholic. The line of argument adopted by those Members was straightforward; but he would point out to hon. Gentlemen that a civil war must take place before the Roman Catholic Church could be made the Established religion of Ireland. He objected *in toto* to the assumption that this ought to be treated as a purely Irish question. By doing so, indeed, the House would not be going against the Act of Union, which they had power to repeal if they chose; but the House would be acting in opposition to the spirit of the age. He yielded to no man in his admiration of the Irish character, which was high-spirited and generous; but it was impossible to resist the revolution which railroads were making in Ireland as well as in England. In a country which could be travelled over from one extremity to the other in twenty four hours, it could hardly be doubted that men and institutions would become alike; and he would ask hon. Gentlemen, who were acquainted with Ireland, whether it was not rapidly losing its distinctive character, and becoming English. If, then, there were a tendency to uniformity of character thoughout the United Kingdom, was it not a reactionary step to create an anomaly by having an Established Church in England, and in Ireland a Government with no religion whatever? Was it likely that such an anomaly could be maintained permanently? The great mass of the Liberal party knew full well that it could not and did not intend that it should; but they supported the present Resolutions, not for the purpose of destroying the Establishment in Ireland, but for the purpose of laying hands on the Establishment in England. If he had held such views he should have raised the real question at issue in a manly, straightforward way, instead of following the example of some Liberals who had had the falseness to deny that they were aiming at disestablishment of the Church of England. Some Liberals talked as though they were advocating reforms in the future; not because these reforms were in themselves right and good, but for the purpose of punishing the Conservative party for its obstinacy. It was the hon. Member for Birmingham who began that way of talking. They all understood that it was his fun, but there were plenty to follow him seriously in these opinions. Now, he maintained that those who brought forward this question ought honestly to avow their intentions; but the reason the Liberal party had not done so was because the people of this country, and especially the poorer classes, were firmly attached to the Established Church. He had no doubt that many mistook the voice of a few persons out-of-doors and of a few newspapers—a voice put forth merely for the purpose of ascertaining public opinion—for that of the people of this country. Would the hon. Member for Birmingham allow him to give one reason which seemed to him to be above all others that which led the people of this country to uphold the Established Church? It was because, of all our institutions, it was the most democratic. Although a great Reform Bill had been carried, there still existed in the State, distinctions between the rich man and the poor man, and between males and females. [*Laughter.*] That laughter convinced him that the latter distinction was likely to be long maintained. [*Laughter.*] Of course, he was merely speaking of distinctions in the State. In the Established Church, however, no distinction was made between classes, but all alike could enter the churches and partake of the ceremonies. And not only so, but the ceremonies were the same for all. A marriage might be surrounded with every pomp and luxury, but within the Church the ceremony was the same for the wealthy as for the poor. A general might be buried in a cathedral, but the ceremony was the same as for the poorest man. For his own part, he had never held that it would make a great difference to the Church, whether it existed as an Establishment or as a voluntary association, although he did not share in the desire entertained by some advanced Churchmen of separation of Church and State. He thought, however, that the State would be the great sufferer from disestablishment. It could not be expected that England could be governed like America, or the Colonies, where no monarchy was established; and it should be borne in mind that the national religion was bound up with all the traditions of the country. There had been periods in our history when the national Church was the great safeguard of the liberties of the people; and her services were not yet forgotten. They could not, in his opinion, disestablish the Church in any part of the United Kingdom, without striking a great blow at true religion. It might be that philosophers could conduct themselves and their affairs without religion, and that for them enlightened self-interest was a sufficient guide; but common and unphilosophical men, who were now supreme in this country, would hardly be able to govern themselves justly without the principle of religion embodied in public affairs—in other words, without the principle of an Established Church. After all, it was of no use attempting to decide a question of this kind by reason; for it did not depend upon argument at all, but upon feeling and sentiment, and as long as the people of this country were strongly attached to the Established Church, so long should we have Church and State united. The battle would be fought, not in the House of Commons, but in the streets of our great towns. On the one side were arrayed clergy, ministers, and virtue; and, on the other side, the vice and wickedness out of the gaols and workhouses; and when the latter prevailed, and people ceased to be attached to the Church, it would go, and the House could not save it, although it might break the fall. The Liberal party—taking advantage of this state of things—was trying to educate the people into willingness to destroy the Church, and it did not scruple to ally itself for this object with people of bad character, and opposed to religion. It would be far better plainly to avow the intention, and let the world know what was aimed at, for the destruction of the Irish Church was a step towards the destruction of the English Church. But the conduct of the Liberal party was reasonable, judged by their own principles. What, however, should be said of the union between the Irish party, which sought the separation of England and Ireland, and the anti-Church party, in a common onslaught on the Irish Church? ["No, no!"] Of course the leaders of the Opposition treated his opinions with disdain. But perhaps they would like to know how the matter struck an outsider, who did not expect to hold Office. Before Parliament met it was said Ireland would be the question of the Session; but in the speeches of the Leaders of the Liberal party he could find no suggestions, and no proposals were made save the impracticable ones of the hon. Members for Birmingham (Mr. Bright) and Westminster (Mr. Stuart Mill). It was said that something must be done; but no one knew what. Then there was a great debate in the House, and nothing turned up for Ireland, but something for the Liberal party. It appeared to be possible that if certain Gentlemen would change their opinions, and adopt a new line of conduct, the great Liberal party might just for once be re-united. There was courage in the attempt; but they had been obliged to make very serious admissions, such as that the Irish Church was not a real grievance, and did not injure any one in purse or person; that its abolition would not remove discontent; that the question must be remitted to the reformed Parliament; that it prevented the completion of the Reform scheme of last Session; and that the Liberal party was stultifying itself, as it had proposed nothing during the twenty years it directed the Government of the country. In the face of all these admissions, they had to say why they opened the question now. Their supporters out-of-doors bluntly said it was because they were out of Office; of course, it would not be decent to say so in the House; but the reason given was, that there was discontent in Ireland, and it was desirable to remedy a sentimental grievance. The right hon. Member for South Lancashire said this was felt as a grievance in Ireland, and that it was desirable to remedy it. He (Mr. Gorst) would admit that it might be desirable to remedy a real grievance in the midst of an insurrection, but not a sentimental grievance. He held that, however discontented a nation might be, justice ought to be done at whatever cost. But he also held that if a sentimental grievance, which did not injure any one either in his money or person, were redressed in the middle of discontent and insurrection, the conduct of the redressors would be put down to fear, and would do no good whatever. It was quite clear that if the Irish Church grievance was to be redressed, it ought not to be redressed when Ireland was in a state of insurrection, or, at all events, of discontent. Now, while it was very good policy to cure a real grievance in the midst of discontent and insurrection, it was bad policy to remove a sentimental one; because your conduct might be attributed to fear, and for that reason might not do the slightest good. Why was not the question brought forward during the fifteen years of contentment that preceded 1865? Unless a good reason could be given, people outside would impugn the conduct of the Leaders of the Liberal party. A distinct issue was raised by the Resolution, which in terms spoke of the Irish Church; but in reality was aimed at the existence and welfare of the English Church. The attack united the Irish Catholic party and the anti-Church party, and those two great parties were marshalled for the attack by hon. and right hon. Gentlemen, whom he might call deserters from that (the Government) side of the House, and who hesitated not to stultify themselves in their efforts to get into office. The Conservative party could meet the Resolution only by a direct negative, and, whatever the House might do with it, he was quite sure that course would be approved in the country.

SIR FREDERICK HEYGATE said, he did not insist upon the Union of England and Ireland being an insuperable obstacle to the disestablishment of the Irish Church. As long as there was a Parliament in existence it must have power to consider all questions. The Act of Union was one of the most solemn Acts of Parliament, and he did not believe the Union it established would be maintained if there were different religious arrangements in the two countries. You could not have a voluntary system in one country and continue an Established Church in the other. The fund for the support of the Irish Church was described as being out of all proportion to its real wants. So long, however, as you treated the country as one united Empire, you were bound to look to the case of the Church in every part of the kingdom. Now, the Church statistics of Ulster had never been given in this House, and he should like to call attention to them. The total Church revenue in Ulster arising from rent, glebe-lands, tithe rent-charge, sums paid by the Ecclesiastical Commissioners, and value of the Bishops' sees, was £211,234; the number of clergy in Ulster was 684, and of the Church population was 401,392. Dividing the emoluments of the Church by the number of the clergy the income of each clergyman appeared to be £308, certainly not an excessive income considering the large size of the parishes. Dividing the number of the Church population by the number of clergymen, the average flock of each clergyman was 586 persons. He believed that if such a comparison were made in England, excluding certain large towns, the remuneration might be something like the same, but the average number of the flock would not be. In many communities in Dublin and in other counties the case was quite as strong as in Ulster. Then, again, the interest of the 500,000 Presbyterians must be considered, for their *Regium Donum* would be stopped. He was convinced that if you swamped Ulster in the whole of Ireland you must go a great deal farther. You could not separate one country from another in religious matters and maintain a union in all others. The prevalent religion of a country was its very spirit, forming its character, and controlling all its conduct and its relations, foreign and domestic. If you abrogated the Union, a result to which this measure would, in his opinion, lead, the foreign policy of the country would hardly ever be in accord with that of England, and then the question of education would face you. When once you meddled with this question of the Irish Church, only two courses were open to you—the voluntary system, or the endowment of all religious denominations. Now, as it was absurd to talk about the voluntary system in a poor and thinly populated country like Ireland, though it might succeed in large towns. The voluntary system had been well described by an old writer, who said—

> "That he was not aware of any other Scriptural authority for this system than that derived from the period when every man did that which was right in his own eyes."

And, again—

> "The voluntary system if it be understood to intend the exclusion of national and parochial provision for the support of religion, is only another phrase for the wish of the Devil, who is content that much should be professed to be done, so long as little be really done, to overthrow his kingdom."

Though the voluntary system had been much praised, the evidence was that, while in the large towns of America it answered very well, in the country it amounted almost to a closing of places of worship. The other alternative was the endowment of all religious denominations. But it would be impossible to persuade the people of England or of Scotland to endow the Roman Catholics; and if you endow all denominations you must endow Mormonism. What was called religious equality was nothing but the equality of truth and error. Between Protestantism and Popery antagonism prevailed, well expressed in the words of Old Evelyn—

> "The emissaries and instruments of the Church of Rome will never rest till they have crushed the Church of England, as knowing that alone to be able to cope with them, and that they can never answer her fairly, but lie abundantly open to the irresistible force of her arguments and the antiquity and purity of her doctrine."

It was asked why, if the voluntary system answered among Roman Catholics in Ireland, it could not answer among other denominations. But there was an enormous difference between the spirit and the working of the two creeds. An omission of religious duty on the part of Roman Catholics was punished in this world. It was punished by a suspension of the offices of the Church, and the charges made by the Roman Catholic clergy under the so-called voluntary system were really compulsory. The hon. Member for Birmingham said that the process of disestablishment would be easy and gradual. Easy it undoubtedly would be—

> "Facilis descensus Averni.
> Sed revocare gradum, superasque evadere ad auras,
> Hic labor, hoc opus est."

The Protestants in Ireland might, perhaps, do without so many Bishops as they now had; the few cathedrals might do without deans and canons; though these were not paid as such, as was generally supposed, but in almost every instance were simply the clergymen of neighbouring parishes, with parochial duties. But if the clergyman of the parish died the "gradual" process would be this—His life-interest would be respected, but on the day of his death, even though the church was well filled, it must be closed, and there could be no more services unless an appeal were successfully made to the voluntary system. This was what was called gradual disestablishment. But the effects of these proposals were already perceptible, and he for one would prefer that the disestablishment, if it were to take place, should take place at once. He did not at all approve of postponing the matter for the consideration of another Parliament. Few, if any, would stand up for the anomalies which existed in the Established Church of Ireland; but this was not a question of anomalies. He had letters without end from all parts of the country, many of them from Roman Catholics, and throughout but one idea appeared to be prevalent. One writer said, "The Romish population about here are beginning to exult at the prospect of becoming the Established Church." A Presbyterian clergyman, who, he might add, was a Liberal, and had voted against him at several elections, writing to him lately, said that the Presbyterian Church in Ireland regarded the withdrawal of the endowments from the Established Church as a heavy blow, and a discouragement to Protestantism in the country, and a great triumph for Roman Catholicism. The writer said it was moreover feared that at no very distant day we should witness the Establishment of the Roman Catholic Church in Ireland. And this enormous change was to be made to secure what he regarded as a purely imaginary result—peace. The hon. Member Birmingham held out the prospect of the disendowment leading to the inauguration of an era of peace for Ireland. That result he regarded as so desirable that he would make any sacrifice short of abandoning principle to secure it; but he could not see how the hon. Member could prove the prospect which he held out was anything but imaginary. He had listened attentively to the speeches which had been made in the House, but he had failed to find that any corroboration had been afforded by the Roman Catholic Members. He thought it a somewhat remarkable fact that no Liberal Member connected with Ireland—and several had spoken—had referred to the proposal as likely to promote the result suggested by the hon. Member for Birmingham. The Roman Catholic Members, though they had not taken part in the debate, had significantly enough voted for the right hon. Gentleman opposite. He would ask these Gentlemen whether, in their opinion, a more peaceable condition of the country would ensue upon the adoption of the course proposed. They knew, and the fact was generally recognized by the Roman Catholics, that the question of education was of far greater importance to them, and its great importance was recognized, too, by the right hon. Gentleman the Member for Calne, who had changed many of his opinions on Irish matters, some of those changes having resulted from sitting on Select Committees. Among other important questions, too, which demanded consideration were the law of Mortmain and the land question. But another object that was desired was what was called the overthrow of Protestant ascendancy. He desired, however, to ask the hon. Member for Birmingham, whether, in his opinion, Protestant ascendancy would be destroyed by this course? The hon. Member, as he understood, proposed to leave the church, the glebe, and the residence of the minister untouched, so that where an "obnoxious minister" previously resided, that obnoxious minister was to be maintained by voluntary contributions, still continuing his former duties and trying to persuade the people of the country to change their religion. There remained the fact that so many of the owners of land belonged to the "obnoxious" religion. There was, in his opinion, no means of getting rid of the Protestant ascendancy in Ireland short of the absolute banishment of the present race of Protestants in Ireland. He would pass over the remarkable comparison in this debate by the hon. Member for Kilkenny (Sir John Gray), in which he compared the Ulster settlers to the planters of the Southern States of America, and threatened them with a similar fate. Such threats in an assembly of men whose ancestors for the most part were also the ancestors of those maligned Ulstermen, who had been originally largely sent from this City of London, much against their will, and forced by Royal authority to contribute funds to buy land, might well pass for what they were worth. That industrious race, both of English and Scotch descent, had, at any rate, made Ulster what it is, although it was now sought to confiscate the endowments of their religions, which had been guaranteed them. He denied that the loyalty of the Irish Protestants would depend upon the issue of this question. He believed there was no gentleman in Ulster who would be disloyal, whatever loss of security there might be to the institutions of the country by such proposals as this. Their loyalty sprung from a principle that was far deeper. But we were told that the object which the right hon. Gentleman opposite and his supporters had in view would be the result of an easy and a gradual arrangement. The moment, however, that these Resolutions passed, the Church of England as a ministry and a profession would lose its independence, and the standing of the clergymen under the new order of things would be very different from what it was at present. Their position would be something akin to that of the domestic chaplain in *Esmonde*, who, as Thackeray told them, was expected to say grace at table, to baptize the family, get the eldest sons out of their scrapes, train up the young hopefuls, and, in fact, to make himself generally useful. So far from the adoption of these Resolutions tending to promote peace, he thought we should find that there would be less peace than before, which would represent the withdrawal of confidence and countenance from the old form of Faith. In fact, they were so regarded in every quarter. Let them not be deceived. This was nothing less than the reversal of the policy of 300 years—the withdrawal of the countenance by England of the old Reformed Faith—triumphantly known to be so by all the Roman Catholics of Europe and Ireland. If they cared so little for this question of the Established Church, and would have none of its endowments, and despised its hold on the world, why should they so rejoice at the perils that environed her? Had Archbishop Manning written nothing? And the Roman Catholic papers in every country in Europe? Do the Irish hierarchy feel no joy at the downfall of their rival—no secret anticipation of their enthronement in its place? On every ground he opposed these Resolutions. They were fatal to the principle of the Union between the two countries; they treated England and Ireland as distinct nations; and they proposed no disposition of the confiscated endowments. In the case of Ulster and some other parts of Ireland, as appeared by the statistics he has given—which he quoted on the authority of Dr. Lee, whose ability and labours deserved every commendation—there was no case. He wished, indeed, to see the Presbyterian ministers raised to a position of greater independence, and the utmost religious freedom professed by every denomination. Instead of promoting the stability of Ireland, the Opposition had thrown the apple of discord in the very midst of the people, and had set on foot a war of race against race, embittered by religious rancour.

Amendment proposed,

To leave out from the first word "That" to the end of the Question, in order to add the words "so long as the Union between Great Britain and Ireland continues to exist, it is just and consistent that the principle of the Established Church should be maintained in Ireland, and its endowment on a scale suitable to the wants of the population,"—(*Sir Frederick Heygate,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the proposed Resolution."

Captain GROSVENOR: — Sir, the Amendment of the hon. Baronet the Member for Londonderry (Sir Frederick Heygate) as it appears to me is precisely tantamount to a direct negative. He wishes the House to affirm that, as long as the Union exists, the Established Church in Ireland should exist also; but on this side of the House we wish the Union to exist for ever and the Established Church to disappear at once. The hon. Member for Cambridge, though he wandered over a great deal of ground through which it is unnecessary that I should follow him, did not fail in accordance with the never-failing tactics of his party to refer the proposition of the right hon. Gentleman for the disestablishment of the Irish Church and the support which it receives on this side of the House to causes with which it is going out of the way to suppose that they have any connection, and this is the more singular because the course is not far to seek from which they naturally and inevitably flow. Is it possible that hon. Gentlemen opposite can have forgotten the debate which took place at the commencement of this Session upon the Motion of the hon. Member for Cork; is it possible that they can have forgotten the long speech made on that occasion by the noble Lord the Chief Secretary for Ireland, the satisfaction with which he dwelt upon certain statistics by which he proved that this is not the worst period of Ireland's adversity, the candour with which he admitted that notwithstanding this, throughout large districts of the country and large masses of the population there was a prevalent sympathy with Fenianism, and then the deplorable announcement which he made that Her Majesty's Government thought it best, upon the whole, to preserve a dignified neutrality in presence of the raging contest between a tendency to improvement and a tendency to decay? It seems to me Sir, that both the Liberal party and their Leader would have been faithless to the great interests confided to their care, if they had pretended for a moment to sanction such a policy; if any time had been lost by them in seizing upon the most salient point in the Irish difficulty and bringing it before the House in such a manner as not only to involve a discussion of its merits, but also to compel a decision upon its principle. But hon. Gentlemen opposite say that the great mistake has been to select this question of the Irish Church. They argue that if the Irish Church were disestablished to-morrow there would not be one Fenian the less, and though the assertion is sweeping it is not necessarily inaccurate. I am inclined to believe that even if the Church were disestablished to-morrow the active and actual Fenians in their very limited numbers might still remain undiminished. It is but indirectly that a Resolution of this kind can attempt to deal with the active organization of Fenianism; but I think it will be admitted that even that active organization will have received its death-blow when we can reach that smouldering sympathy with rebels so freely admitted by the Chief Secretary, that passive organization of Fenianism, founded upon a sense of wrong which has its depôt in the hearts of the people. I apprehend that to reach that is the object of those who wish to disestablish the Irish Church; and let me remind hon. Gentlemen opposite that an argument which they are in the habit of using, even if it had any foundation in fact, would not be conclusive against the possibility of attaining that end by these means. Their argument is that the disaffection of the Irish to our rule does not proceed from religion but from national antipathies. Time will not permit me to give this argument a very comprehensive refutation; but I will at least remind hon. Gentlemen that there is no antipathy so inveterate as not to require sustentation, that there is no antipathy so rooted but it may be expected to yield to the influence of softening suggestions from a friendly and respected source. And I will ask them to consider first, the enormous power for good or for evil which is vested in the Roman Catholic hierarchy; secondly, the course which we can pursue with the greatest probability of throwing its weight into the scale of order; and thirdly, the grave responsibility assumed by those, who pursuing a course diametrically opposite, risk the indefinite prolongation of a state of things which common sense and common humanity compel us all equally to deplore. And now let me turn to another argument which is also very popular with hon. Gentlemen opposite. They say that union between Church and State in Ireland rests upon the same principle as union between Church and State in England, and if either can be said to rest upon any absolute and well-defined principle, so far I agree with them; but upon this premise they build the conclusion that a blow struck at the one is a blow aimed also at the other, and that if the dissolution of the one be effected the dissolution of the other must follow in its wake. From this conclusion Sir, I entirely dissent. Union between Church and State as it appears to me is an admirably wise but purely political arrangement entered into for the general well-being of a nation. So long and in so far as it procures that end its maintenance is clearly advantageous and its disturbance would be a national calamity; but what is the wisest method of avoiding a calamity, which, from the very nature of the arrangement, some persons must always be striving to bring about?—surely, Sir, to restrict that arrangement within the sphere of its beneficial action, not to press it to a point at which ample experience has taught us that it becomes subversive of the very objects which it was devised with consummate sagacity to attain. In England this arrangement, this union, has been fraught with blessing; in Ireland it has produced nothing but a curse. If it be true, as has been more than whispered, that its origin was unhallowed, all the more reason why its end should be unregretted. Sir, for many years it was the custom to characterize religious inequality complained of in Ireland as a sentimental grievance; and a sentimental grievance truly it was, cutting a sensitive and enthusiastic nation to the quick. Let me ask any hon. Member in this House, whether, if he had a friend of a sensitive and enthusiastic temperament who might be useful or who might be noxious, there is any extremity he would not rather face than put him in possession of a sentimental grievance? Hon. Gentlemen have at last discovered the fallacy of that unlucky sneer. More than once in the course of these debates it has been turned upside down and used as an argument to prop the falling fortunes of a hitherto favoured minority. There is one more argument which, if the Committee will bear with me, I should like to notice before I sit down; it is an argument in which the sentimental is used for the practical to a degree which approaches if it does not touch the verge of political probity. It is the last of a long array by which, not so many years ago, Protestant ascendancy seemed surrounded and ruined. One by one they have melted away before the expanding mind and conscience of this country, and now there remains but this one alone—this garrison argument. It warns us to beware lest our mad veneration for justice should cost us loyalty with which we can ill dispense. It points to a minority numerically small, but financially and intellectually powerful, which has hitherto faithfully guarded our interests; and again, it warns us that if we alienate their hearts all government in Ireland will become impossible for the future—all government at least except that of the bayonet. Truly a terrible alternative if we needed no bayonets now. My answer to that argument is that our dependence upon that minority in the past is a real dependence. I do not dispute it to have been vicious in principle; it has broken down in practice, and that it is time for them as it is time for us to give heed to the warning of the present and the lessons of the past. But having said thus much in reply to an argument used by others, I feel bound to add that the very use of it involves a weight of accusation which I should never have ventured to originate, and the truth of which I am quite unprepared to assume. I have confidence enough in a body of my countrymen, so wealthy, so intelligent, and so loyal as the Irish Protestants to believe that the sacrifice which they are called upon to make will not deprive them of the will any more than of the power to do good service to the State. I am fully pursuaded that both the clergy and the laity will rally all the closer round the standard of a creed whose emblems are love and peace. I have confidence enough in the Church of which I am a member to believe that she fears no rivalry upon equal terms; and I have confidence enough in my own knowledge of human nature to feel sure that her doctrines will have fuller play and a fairer chance when the exponent of Protestant truth, dissociated from the representative of oppression and conquest, can gain free access to the minds of a warm-hearted and unprejudiced population through his virtues as a minister and his qualities as a gentleman. But even if this were otherwise, the alternative of right or wrong, of justice or injustice, drawing as it does so unpleasantly harsh a line between the two great parties in this House would still remain untouched. Hon. Gentlemen opposite are the consistent advocates of Protestant ascendancy at any time, because it exists and because they think "whatever is is right;" for this side of the House I hope and believe there is no disposition to violate the sanctity of long existing rights, provided they can shelter themselves even in the shadow of justice: but when such claims as these of Protestant ascendancy in Ireland are dragged into the light and proved, as in my opinion they have been proved, incompatible with justice, insulting to a nation, and injurious to the interests of the Empire; when, moreover, Ireland hard pressed in the struggle for a decent and orderly existence cries aloud to us to send religious equality to her aid, I think it would be wrong, morally and politically wrong, to stand by with folded arms and let her fight her battle as she may.

Mr. DYKE said, he had listened carefully to the speech of the hon. Member opposite (Captain Grosvenor), but failed to discover in it any clear argument proving that the Roman Catholics were suffering from present injustice. Looking back upon some of the arguments which the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) had used in former years, and contrasting these with his more recent utterances, he had been altogether unable to discover in his modern views any sufficient answer to those which he formerly entertained. This was peculiarly the case with a speech made in 1835 upon the Appropriation Clause. The right hon. Gentleman no doubt would say that the speech was made some time ago, and that times had changed since then; but lapse of time made no change in the clearness of the argument. The right hon. Gentleman said—

> "If the Protestants should ever happen again to be in a minority in that House, he, for one, avowed his conviction that a return to the ancient appropriation would be the fair and legitimate consequence. Until that should be the case—until the Legislative Union should be dissolved, until the representatives of the Roman Catholics constituted the majority in that House—he, for one, should raise his humble voice as a Protestant against the principle involved in the Motion before the House. The great grievance complained of in Ireland was that the Protestant Establishment there was paid for by the Roman Catholic inhabitants. Was it so paid for? Were tithes paid for that purpose, or were not tithes rather a part of the surplus profit of the land, which went, not to the cultivator of the soil, but to the owner of it? Tithe was paid by the landlord, and the grievances on this point complained of by the people of Ireland were rather in theory than in reality." [3 *Hansard*, xxvii. 507.]

The House was now invited to deal with this question not in a comprehensive manner, but by affirming, blindfold as it were, the principle of disestablishment, leaving the vast ulterior difficulties of the question to be dealt with in a future Parliament. Only three years ago the right hon. Gentleman stated that "no sooner did you approach this question practically than you met a whole nest of problems of the utmost political difficulty;" and the difficulties certainly had not disappeared in the interval. The hon. Member for Westminster (Mr. Stuart Mill) had one plan for disposing of the revenues of the Irish Church; Lord Russell, till the other day, had a different plan of his own, but he appeared to have relinquished it at a meeting which he attended in St. James's Hall. A question was addressed the other day to the right hon. Gentleman the Member for South Lancashire with regard to the *Regium Donum*, and also with regard to the Grant to Maynooth—the latter especially being one of considerable moment among the Nonconformist population—but the right hon. Gentleman had given no distinct pledge with regard to the future. On the contrary, he seemed to find himself between the Scylla of Nonconformity—the dislike of all endowments—and the Charybdis of Roman Catholicism, which might succeed after all in overcoming his present scruples with regard to endowments. The hon. Member for Birmingham (Mr. Bright) treated all objections to disestablishment as so many hobgoblin arguments, having nothing substantial about them. But, for his own part, he could not discover those securities and safeguards supposed to exist in such abundance. In a quarter which ought to be well-informed as to the views with which agitation was raised, in the great Liberal newspaper in Dublin, *The Freeman's Journal* of March 26, he found passages such as this—

> "The debate will be one of the most memorable on record, and the issue will involve not only the fate of a Ministry, but the fate sooner or later of the dominant State Church, not only in Ireland, but in England. The great Liberal party are determined to deal a deathblow at all State endowments. The Irish Church, as the most vulnerable in structure, must be the first righteous victim."

After that, he supposed they would be told in this country that there was no need to be alarmed. See, again, how the matter was viewed upon the Continent. He took from a foreign paper, expressing strong Ultramontane opinions, this extract—

> "We applaud the fall of the Irish Church—first of all, because it is a barrier to the development of the Catholic faith, an outpost of the Anglican Establishment, which is the fortress of Protastantism in Europe. Once the Church has fallen, the sect will crumble away."

A few nights ago the hon. Member for Birmingham said, he should not be surprised if the same conversion took place in Scotland, and that disendowment were asked for there also. All these things indicated that disestablishment would not stop at the Irish Church. It was not shown that any actual grievance is now felt by Roman Catholic clergymen or laymen; but hon. Gentlemen who sought to make a case against the Irish Church went back sixty or seventy years and referred to the Penal Laws and other such things, which we all, whether Irish or English, Protestant or Roman Catholic, now regarded with horror. He believed that no class of men had worked with more honesty and with less of bigotry against those who were opposed to them in religion than the Irish Protestants. The other day he received a letter from one of them, asking him to vote against the Resolutions. In that letter the reverend gentleman, referring to the Roman Catholic people of a parish in which he had lived for some years, made these remarks—

> "When they found I was anxious for their good, as well as that of my own Protestant people, we were soon on the pleasantest terms, spoke in a friendly way on practical religious duties, avoiding irritating subjects; they came to me for advice, or relief in sickness; they trusted me with their letters, money, and affairs, and my leaving the parish was occasion for much lamentation among them. I quote words used by one when saying good-bye. 'How shall we all get on when

you leave us, sir?' 'Why, just as you did before I come.' 'Sure, and we didn't get on at all thin, your honour.'"

Were these Resolutions to have a prospective effect on a Parliament? If not, it appeared to him the House were wasting a Session by a proceeding of a vague, factious, and party-serving character. If the Resolutions were prospective, would not the House, in passing them, be doing a great injustice to the Members of the next Parliament, by denying to them the right of having any part in legislation which struck at the foundation of the religion which the people of this country professed, and which they desired to uphold. In 1866, when the suspension of the Habeas Corpus Act in Ireland was proposed by the late Government, the right hon. Gentleman the Member for South Lancashire found out no crisis which was to terminate in the destruction of the Irish Church. In the twenty-five years during which the Liberal party had been in power, and during which, according to the hon. Member for Birmingham, the sword had seldom been out of the hands of the governing party, they had never discovered an Irish crisis; but with the coming in of the present Government the Liberal party seemed to be endowed with the keenest vision, and almost with microscopic eye they were now able to detect the cause of Irish discontent. From the large constituency which he represented he had received representations of the most earnest nature on the subject of these Resolutions; and, however humble and ineffective his voice might be, he could not give a silent vote on what he conceived to be hasty, untimely, and party-serving Resolutions, affecting a Church of which he was a supporter, and a religion which he felt himself bound to uphold.

MR. DILLWYN said, he believed that the existence of the Established Church in Ireland was an injustice to the people of that country; and he would support the Resolutions, because he thought that, in removing an injustice, we took the first step towards ameliorating the condition of a country. The House could not doubt what the verdict of the United Kingdom would be, for during the last three weeks in England, Scotland, and Ireland public opinion had pronounced itself singularly favourable to the propositions of the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone). ["Hear, hear!" *and* "No, no!"] Well, he had stated his opinion. An attempt had been made to raise the "No Popery" cry, but the country had refused to take it up. Seeing that the Roman Catholic hierarchy and the Roman Catholic laity did not ask for a State endowment for their Church, he thought the endeavour to get up that cry was a very unwise one. Another means by which it had been sought to defeat the Resolutions was by alleging that the case of the Established Church in this country was identified with that of the Irish Church. The section of the Established Church who put forward this statement were, in his opinion, acting foolishly. The two Establishments stood on such different bases that there was no comparison between them. The connection between Church and State in any country was a practical rather than a theoretical question. If he understood the matter rightly, the State represented the whole community viewed in regard to its material interests. The Church again did not represent any section of the community, but the whole of the community, as far as their spiritual interests were concerned; and when a community agreed to delegate certain powers in reference to religious teaching and administration to the governing body, the connection between the Church and State arose. That connection would be maintained as long as it was sanctioned by the whole body of the community, as was the case in England, where the majority of the people belonged to the Established Church. In this country, too, there were many persons who, disliking strict observance on the one hand, or sentimental ritualism on the other, nevertheless were in favour of the State Church because they thought it prevented religious intolerance and persecution. The Roman Catholics and other small sects also accepted the connection between Church and State in this country, because they felt that it afforded them a protection which they would not otherwise have. The Dissenting bodies, indeed, were opposed to the connection, though not violently, for they objected to the Church with regard to matters of form and discipline rather than of doctrine. In this country it should be borne in mind the vast majority of the people were united by the common bond of Protestantism, and this would probably prevent any violent assault being made on the Established Church. In Ireland none of those conditions existed, and therefore he regarded the connection between the Church and State in that country as a fallacy. There the people were not united by the common bond of Protestantism. The great mass of the people, being Catholics, regarded the State religion as a dangerous if not a fatal heresy, and as a badge of conquest. Until that badge of conquest were removed Ireland could not, in his opinion, be governed in a satisfactory manner. There was no justification for this anomaly and injustice, for as a missionary Church the Establishment had signally failed. He sincerely rejoiced that this question had been at last taken up by the Liberal party. The right hon. Gentleman the Member for South Lancashire had been very much assailed for change of opinion upon this question. Now when he (Mr. Dillwyn) brought forward this question in 1865 the right hon. Gentleman urged him to withdraw the Resolution, and he was so well satisfied with the speech of the right hon. Gentleman—knowing his character—that he withdrew it. Subsequently, when the hon. Member for Kilkenny (Sir John Gray) gave notice to bring forward the same question he (Mr. Dillwyn) advised him not to bring it forward in the form of a Resolution, but to be content with having raised the question, and then to leave it in the hands of the right hon. Gentleman, because he was confident that the right hon. Gentleman would in due time carry out the intention of which he had given an earnest to remedy the great injustice of the Established Church in Ireland. He sincerely hoped that the Liberal party, in or out of Office, would not give the subject up, and that no Government, calling itself Liberal would be content to remain in Office without securing the same justice for Ireland in religious matters that this country enjoyed.

Mr. WALROND said, that he must put aside the appeal that had been made to them to limit their view of this great controversy within the narrow scope of Irish prejudice, and apply to it the broader considerations of an Imperial policy. The expression of a not unreasonable fear, that a successful attack on the Church in Ireland would give a base for future successful attacks on the Church in England, had been met by the simple assertion that the position of the Church in England and in Ireland are so different that the fate of the one cannot influence that of the other. The hon. Member who had just sat down talked of the position of the Church in Ireland as being isolated and independent ; but it was a misnomer to call the Irish Establishment the "Church of Ireland"—it was, in fact, a portion of the "United Church of England and Ireland." If one part were destroyed, the other must be endangered. If one member suffers, the other member must suffer with it . It was not reasonable to say that the health of a body would not be endangered by the paralysis of a portion of it. His hon. and learned Friend the Member for Exeter had told them to look at this question from an Irish point of view. It was just this narrow Irish view of Irish interests which was the bane of Ireland, and a heavy cloud of adversity would hang over her until Irishmen would consent to view Irish questions in the broad clear light of Imperial interests, then she will, it was to be hoped, share fully in the general prosperity of the Empire. To limit thus the question of the Church necessitated the recognition of a separate nationality. For if the State, as the embodiment, concentration, and development of the feelings and conscience of the majority of the nation maintained a connection with a Church Establishment, in conformity with the feelings and conscience of this majority, it must be of the majority of the whole Empire, and not that of any special district in it. Any such district, before it can claim a different principle of legislation, must first prove its claim to a separate nationality. And it was in truth this sentiment that underlay all so-called Irish grievances. If it be not allowed to Ireland, how did she differ from any well-defined district in which the members of any one creed may outnumber the members of the Established Church ? In each case they would be but the majority of a minority. If allowed, it is impossible to recognize it more fully than by acknowledging the justice, not of an equality only between the Churches, but an equality secured by the destruction of the Established Church. It justified the claims of the celebrated "Declaration " for a separate Legislature and a national divorce. In it was repudiated the efficiency of any measures an English Parliament could pass. By it was destroyed all hope that any such concession as was proposed would accomplish the end at which it aimed. Yet thus forewarned, they were asked to sacrifice in a hopeless experiment what many of them deeply and ardently cherished. They had been referred by the right hon. Member for South Lancashire to Mr. Burke, and he felt grateful for the reference. But Mr. Burke's policy was not that of the right hon. Gentleman. He begged to read an extract to the Committee. In his letter to his son he wrote—

> "If ever the Church and the Constitution of England should fall in these Islands (and they will fall together), it is not Presbyterian discipline, nor Popish hierarchy that will rise upon their ruins; it is not the Church of Rome, nor the Church of Scotland, nor the Church of Luther, nor of Calvin. On the contrary, all these Churches are menaced, and menaced alike; it is the fanatical religion of the 'rights of man,' which rejects all Establishments, all discipline, all ecclesiastical, and, in truth, all civil order, which will triumph and lay prostrate your Church."

Again—

> "I will say that not one of the zealots for a Protestant interest wishes more sincerely than I do, perhaps not half so sincerely, for the support of the Established Church in both these kingdoms. It is a great link towards holding fast the connection of religion with the State, and for keeping these two Islands in a close connection of opinion and affection. I wish it well, as the religion of the greater number of the primary land proprietors of the kingdom, with whom all Establishments of Church and State, for strong political reasons, ought, in my opinion, to be firmly connected."

But they had been told that a great crisis demanded a great sacrifice—a crisis arising from an aggregation of circumstances, no one of which, it was acknowledged, would justify it. But there was no novelty in these circumstances, taken in the aggregate or in the mass. Fenianism was the chief, which seemed to possess a chemical affinity to the morbid state of Irish political life. But Fenianism was new in name only; those who in former years preached the rights of man and the wrongs of Ireland were as much Fenians in doctrine and in practice as any modern Irish American adventurer. They were enemies to all religion, all Establishments, all order, and such were opposed by the Roman Catholic and Presbyterian clergy—a very good reason for strengthening all religions, but hardly for withdrawing from the Church of England the sanction and protection of the State. The right hon. Member for South Lancashire had thus described the positions of the three Churches in Ireland. "The English Church had little work and much pay; the Presbyterian Church much work and little pay; and the Roman Catholic Church much work and no pay." And how did he propose to rectify this inequality? The Roman Catholic Church, the object of his special sympathy and legislation, he left precisely as he found it, except that he took away the Maynooth Grant, and so got the vote of the hon. Member for Peterborough (Mr. Whalley). The Presbyterian Church he left with its much work and little pay; and the English Church he disestablishes and disendows. The most ingenious legislation could not more effectually secure injury to all, and good to neither. Hitherto concessions have implied a benefit to be acquired; but now was conceded only the right and the power to attack. It is this which gave satisfaction to the Romish Church and her advocates; they hailed it as the great Roman Catholic triumph of the century. He did not deny the policy of relieving a "sentimental grievance," but the remedy proposed shifted only the "sentimental grievance" from the majority of the district to the majority of the Empire, adding a substantial grievance on the minority of the district. But they had been told that the Church when destroyed was to be tenderly dealt with; that vested interests were to be respected; so the dead body of Cæsar was to be respected. His funeral was to be honoured with "all due pomp, and lawful ceremony"—

> "It will advantage more than do us wrong."

But the lifeless and wounded body lay before the conspirators—

> "Look! in this place ran Cassius' dagger through;
> See, what a rent the envious Casca made;
> Through this the well-beloved Brutus stabb'd;
> And, as he plucked his cursed steel away,
> Mark how the blood of Cæsar follow'd it;
> As rushing out of doors, to be resolv'd
> If Brutus so unkindly knock'd, or no;
> For Brutus, as you know, was Cæsar's angel."

The vested rights of the clergy and the patrons of livings were to be considered, but not those of the Church, nor of the Protestant landlords. True, they bought their land with the rent-charge on it, and gave less for it on that account; but they bought it with the distinct understanding that they had secured to them an equivalent for that rent-charge, of which they would be now deprived. The Knight of Kerry had placed this so clearly in a published letter, and so confirmed this view of the case, that he begged leave to read an extract to the Committee. He wrote in his letter to *The Times*—

> "The landlord has no right to put the amount of the tithe rent-charge into his pocket; but is it equally clear that he has no just claim or right in the application of it? . . . I think the case may be made more clear by excluding the ecclesiastical element for a moment, and treating it on ordinary principles of business. Suppose, for example, that all the estates in this county were

> liable to a charge, of say 1*s*. per pound, for the maintenance of some necessary local institutions, the County Hospital, for example—which we will suppose, moreover, had for centuries been supported from this fund, and this fund alone—would not all the landowners of this county have just cause of complaint if an Act of Parliament seized the above fund for the public Exchequer, and left them either to support the hospital out of their own pockets, or to allow it to collapse? I confess it does seem to me that a serious injustice would be done in this case, and I cannot possibly see where the parallel fails."

The Union between England and Ireland was at all events so complete as to render different principles of legislation an inconsistency—so complete as to disqualify the Roman Catholic clergy from taking the position they assume. Their advocates in the House took a degrading rather than a high position. They placed themselves in the position of a professional beggar, who insisted that his neighbour, better clad and with more outward show of wealth, should cast aside these evidences of prosperity—which he will neither assume, nor share, nor receive an equivalent for, for in them he cannot beg, and so he insisted that both should wear the same garb, and both be beggars together. This was the monstrous position of the "levellers down"—in it the right hon. Gentleman opposite would maintain them, and he is supported by those Nonconformists who will not see that our Established Church is the most efficient obstacle to Roman Catholic development. The Roman Catholic hierarchy are well aware of this, and so they press earnestly for its disestablishment; but it seemed to be a natural law that common grievances united men more closely than common interests. Was there one who objected more strongly than another to the errors of the Church of Rome, it was the hon. Member for Peterborough; one who had a greater aversion than another for her political and social influence, it was the hon. Member for Birmingam, yet both would unite with that Church in all her attacks upon our Establishment; still he would be the last man to suggest that either hon. Member was a Jesuit in disguise. The right hon. Gentleman the Member for South Lancashire has borne honorable testimony to the general absence of personal attacks on the change in his opinions; but he made a scarcely fair exception in his allusion to the "few stones cast by the Home Secretary out of his own glass house." It appeared to him (Mr. Walrond) that the remarks of his right hon. Friend were addressed less against the consistency of the right hon. Member than as a proof of how thoroughly unprepared had been the country by the right hon. Member or the Liberal party for the great change proposed; and on this was based the argument that it was unfair to lay on this Parliament, especially under its peculiar condition, the responsibility of legislating on such an important matter. The Constitution had provided for a somewhat analogous case; and he was surprised at the observation that had been made that the argument was a thoroughly unconstitutional one, and that it was anarchical and democratic. When a Member of this House took high office under the State, he was sent back to his constituents to receive their sanction, and it was for them to justify his appointment. The Member was chosen for a general service; a special duty being added to it, he must obtain the sanction of his constituents. This Parliament was elected for purposes of general legislation. An unexpected change of policy imposed on it a special and unexpected responsibility, should it not seek the opinion of the constituency? And now as to the alternative policy forecast by the Government. The right hon. Gentleman opposite had characterized it as Pantheistic. No one had a greater facility for applying a hard word than the right hon. Member. [Mr. GLADSTONE intimated that he did not originate the epithet.] At all events, the right hon. Gentleman adopted it, which would serve his (Mr. Walrond's) purpose equally well. Well, whether it be applied to Ireland only, or used as a precedent for future legislation in England, if he was compelled to choose between the Pantheistic policy attributed to the Government or the atheistic policy of the right hon. Gentleman, he should unhesitatingly choose the former. It was far more in accordance with the spirit which inspired Mr. Burke, to whom he must ask leave again to refer. He wrote thus, alluding to the necessity of giving such education to the Roman Catholic clergy as should make them good and serviceable parish priests, in his *Letter on the Penal Laws*—

> "I speak on the supposition that there is a disposition to take the State in the condition in which it is found, and to improve it in that state to the best advantage. On this idea, an education fitted to each order and division of men, such as they are found, will be thought an affair rather to be encouraged than discountenanced."

Again in his *Letter to Mr. Smith*—

> "My decided opinion is that all the three religions prevalent more or less in various parts of

these Islands ought all, in subordination to the legal Establishment, as they stand in the several countries, to be all countenanced, protected, and cherished; and that in Ireland especially the Roman Catholic religion should be upheld in high respect and veneration, and should be, in its place, provided with all the means of making it a blessing to the people who profess it."

Again—

> "I am the more serious on the positive encouragement to be given to this religion (always however as secondary), because the serious and earnest belief and practice of its professors form, as things stand, the most effectual barrier against Jacobinism"—

the Fenianism of the present day. But they were told that the day for this policy was past; it was never too late to do that which is just and right, but always too soon to do that which is unjust and wrong. It may be said that to propose any exceptional legislation for Ireland deprived him of all argument founded on a common nationality; but he had used none which could be applied against such principles as are involved in the maintenance of an Established Church, nor so used any that they could be applied against such modifications in our legislation as might be demanded by the special necessities of Ireland. No Member had risen from the Treasury Bench who had given them reason to believe that the Government was satisfied with the present relative position of the Churches in that country; or to doubt that when the requisite data were before them they would deal with the question in a "truly liberal" spirit, truly liberal because truly just, not only to the Roman Catholic but to the Protestant population, and, therefore, in their hands he should willingly leave the interests of Ireland, and of the Empire.

MR. GILPIN said, he thought

> "The force of fancy could no farther go"

than the hon. Member's (Mr. Walrond's) comparison of the Irish Church to the body of Cæsar, and his attempt to crown the right hon. Member for South Lancashire (Mr. Gladstone) with the laurels of Brutus. He wished that those who spoke on this question could agree to confine their speeches within a period of ten minutes, because it appeared to him that hon. Members were only reiterating over and over again the same arguments, and nothing new seemed likely to be said. He desired, however, to say a few words from the stand-point of Protestant dissent. He believed he was representing a not uninfluential body of Dissenters, when he expressed an opinion in favour of the disendowment of all religious sects in Ireland. That body did not believe in the necessity of applying the public money to any religious purposes. The question before the House was one of simple justice. It was absolutely unjust that a Church of the small minority in the sister country should be the Established religion of the country. To endow one Church and not another would be an injustice—to endow all Churches would be an outrage upon religious truth. He wished hon. Members would keep the question of the Protestant Church separate from mere questions of power, pelf, and position. He would certainly be no party to any attack upon the Protestant Church. But the Protestant Church was one thing; the exclusive right to the loaves and fishes was another. It was his sincere conviction that the Protestant religion in Ireland would make infinitely more progress if it were cleared from the trammels of the State, and enabled to advocate freely the glorious doctrines which it upheld. Although Edmund Burke was an exceedingly able man, he (Mr. Gilpin) should much prefer the opinion of Dr. Chalmers on this question. That learned divine said—

> "What have all the enactments of the statute book done for the cause of Protestantism in Ireland? And how comes it to pass that when single-handed Truth walked the land with the might and prowess of a conquerer, no sooner was she propped up by the authority of the State, no sooner was the armour of intolerance given to her, than her brilliant career of victory was for ever ended? When she took up the carnal and laid down the spiritual weapon her strength went out of her, she was struck with impotency. In giving up the warfare of principle for the warfare of politics she lost her power. Reason, Scripture, prayer, ought to comprise the whole armoury of religion, and by these alone the battles of our faith are to be successfully fought. . . . . I want truth and force to be dissevered from each other; the moral and spiritual not to be implicated with the grossly physical means. Never will our cause prosper, never will it prevail in Ireland, until it is delivered from the outrage and contamination of so unholy an alliance. It is not because I hold Popery to be innocent that I want the removal of these disabilities; but because I hold that, if these were taken out of the way, she would be ten-fold more assailable. It is not because I am indifferent to the good of Protestantism that I want to displace these artificial crutches from under her; but because I want that, freed from every symptom of decrepitude and decay, she should stand forth in her own native strength, and make manifest to all men how firm a support she has on the goodness of her cause, and on the basis of her orderly and well-laid arguments."

He (Mr. Gilpin) believed that the cause of Protestantism needed no help from any earthly power or authority, but was better without it. He hoped that the principles of justice would be triumphant in that House, and that all sects in Ireland would be put upon the same level, so that they might each of them prosper according to the truth that was in them.

MR. SELWIN-IBBETSON said, that having listened to many speeches, some with surprise and many with regret, he felt he could hardly reconcile himself to give a silent vote upon a question of so much gravity. He was desirous of raising his voice in unison with those who held the Established Church in Ireland as a sacred institution, and who were determined to use their utmost endeavours to maintain in its integrity the connection of Church and State which they believed to be necessary to the stability and welfare of their country. Whatever might be said of the political consistency of the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) the Resolutions he had submitted to the House gave no uncertain sound. They were clear, distinct, and unmistakeable. They constituted the weapon with which the right hon. Gentleman intended to strike the first blow at the Established Church of both countries—the wedge driven in with which he hoped to uproot those institutions in this country, of which, unfortunately for so long, many have believed him to be the eloquent advocate and champion. They were now asked by the right hon. Gentleman to disestablish and disendow the Irish branch of the Establishment, with the assurance that all vested rights were to be preserved, and that the fabrics and residences of ministers were to be maintained. They were told if they consented to the right hon. Gentleman's proposition they would pacify Ireland, destroy Fenianism, and unite in reality the two countries. Now, if he could even be induced to believe that such results would follow the proposition before the House, he might hesitate even though some of our old landmarks had to be surrendered, in opposing the Resolutions. But what grounds had they for believing those statements beyond the mere assertion of the right hon. Gentleman; what grounds for believing those assertions rather than the experience of those persons who, whilst willing to amend all that was capable of improvement in the condition of Ireland, were nevertheless determined to oppose to the utmost this attempt at revolutionizing our country, at the bidding of men who, under the cloak of "justice to Ireland," aim at returning to that priestly supremacy, which, since the days of the Reformation, had, happily, been unknown in this country. It had been asserted that the disestablishment of the Irish Church would tend to destroy Fenianism. It had, however, been abundantly proved from the statements of the Fenians themselves that it was not the 5th Article of the Union to which they objected, but the Act of Union itself. Their demand was "Ireland for the Irish." By acceding to the proposition of the right hon. Gentleman they would be only giving the Fenians another lever to work with. What it was really proposed to do was to sacrifice the interests of a portion of the population which was undoubtedly loyal, to the interests of another portion, which, however loyal, still did not attempt to deny that they owe a higher allegiance to another earthly Sovereign than our own. But would this proposition satisfy even the Roman Catholics themselves? He denied that it would. There was no ground for any such supposition. If once they disestablished the Church in Ireland a state of things would be created which would give rise to endless questions of the most serious character. What would they do with the land question, for example? How long did they think they could maintain the mild treatment, so much dwelt upon by the right hon. Gentleman, after the Church had been disestablished? And how long will it be before the cry is raised for the fabrics and the glebe residences to be given up. How did the enemies of the State Church propose to divide their sacrilegious plunder? Were they going to hand over the proceeds to the priests of the Roman Catholic Church? Or did they propose to devote it to secular purposes? The right hon. Gentleman the Member for South Lancashire, in 1865, upon the question of the Irish Church raised by the hon. Member for Swansea (Mr. Dillwyn), distinctly declared himself to be opposed to any such project. Did the right hon. Gentleman and his supporters intend to devote this fund to educational purposes? And if so, was the education to be thus supported to be of a religious or of a secular character? He (Mr. Selwin-Ibbetson) could not but think that those difficulties would only have commenced when the Resolutions of the right hon. Gentlemen were carried. Lastly, he would ask whether this was really the proper time to deal with this question, considering the important business which must yet be transacted by this Parliament? Every argument they had heard went to show that this question should be transferred to another constituency and another Parliament. Might they not fairly ask whether this proposition had not been brought forward now as a mere party move, with a view to rally once more the scattered remains of a discontented and dispirited section of the House? He opposed the Resolution of the right hon. Gentleman, because he believed that by disconnecting the Church and State in Ireland they would be paving the way for the adoption of the same course in England. He opposed it because he believed that by disconnecting Church and State anywhere, they would be doing away with one element in Government which, in all ages, has strengthened and upheld it; and he opposed it further, because he believed that the last days of an expiring Parliament is not the proper time for a question of such gravity to be submitted to the House. He would conclude, not in the words of vengeance of the right hon. Gentleman the Member for Calne (Mr. Lowe), "Cut it down; why cumbereth it the ground?" but in words which the right hon. Gentleman would remember follow immediately after—words which, from being tempered with mercy, he preferred—

> "Let it alone for this year also, till the Royal Commission you have appointed has dug about it, and dunged it, and if it bear fruit, well; but if not, then after that will be the time to consider whether you shall cut it down."

**Mr. AGAR-ELLIS** said, he considered that the time for discussing the question had passed, and that the Irish Church was doomed from the time the noble Lord the Member for King's Lynn (Lord Stanley) put his Amendment upon the Paper. He had at first refrained from voting on the subject because he did not wish to have a hand in pulling down the Established Church in Ireland; but since Members on both sides of the House had resolved on the work the only question now remaining was who should do it, whether the present Prime Minister whose policy was simply expediency, or the right hon. Member for South Lancashire (Mr. Gladstone). He believed it would be the latter, whose ability and earnestness were equally undoubted, and he accordingly appealed to him to be merciful in dealing with those to whom he must needs be just; that he would consult their prejudices and deal gently even with their foibles, so that their exasperation might not produce from the ashes of the Protestant Church a priesthood proselytizing and rancorous.

**Admiral SEYMOUR** said, that a considerable portion of his constituents being Protestants, he wished to enter his protest against the spoliation of the Irish Church. He had heard no reason assigned that would justify the abstraction from the Irish Church of property to which it was legally entitled, and which it might be said it held as trustee for the religious instruction of the poor. Great stress has been laid on the Roman Catholics of Ireland being the majority of the population; but this House does not legislate for one part of the Kingdom only but for the whole, and in this view of the case the Roman Catholics are a minority of the whole population of the United Kingdom. It has been attempted to connect the Fenian conspiracy with this Church question; but the deeds of these misguided men have not apparently been guided by religious motives. But if the assumption were true, I would ask, is it the time to parley or conciliate when a man holds a pistol to one's head? No, Sir, the better plan is to knock him down if you can; and if that is managed, conciliation is a much easier task. The hon. Member for Birmingham said that if the Protestants of Ireland were disendowed, they would be no worse off than the other sects in the country; but that was an argument which would be equally forcible in support of a measure proposing the confiscation of any private person's property. It might be said in such a case—"As long as he is not made poorer than his neighbour, we shall be doing only justice in taking his money." He fully concurred in the opinion of the right hon. and gallant Member for Huntingdon (General Peel) when he said that if this measure were adopted it would not conciliate a single enemy, and would alienate the affections of the msot consistent supporters of the Union.

**Sir PATRICK O'BRIEN** said, the circumstance of his not being enabled to address the House till that late period of the debate would be productive at least of one advantage, that, being indisposed to travel over the ground occupied by previous speakers, he should not think it necessary to trespass at any length on its indulgence. Indeed, were it not for the allusions which had been rather pointedly made to Catholic Members by the hon. and learned Member for Cambridge (Mr. Gorst), and the hon. Member for Londonderry (Sir

Frederick Heygate), he doubted if he should have addressed the House at all. The hon. Member (Mr. Gorst) said that that was not an Irish question. He agreed with him, it was not alone an Irish question. The people of England and of Scotland must have learned by that time that the discontent existing in Ireland, and the necessity of considering it in that House, operated injuriously on Scotch and English interests, and interrupted the course of legislation requisite for that portion of the Empire. Until a system of legislation was entered on for Ireland, founded on truth and justice, hon. Members must expect discontent. And it was because he (Sir Patrick O'Brien) believed that the Irish Church was a bar to social union, and operated in effecting a complete separation of classes, that he was there to oppose its continuance. He had ever entertained the opinion that sectarian and religious differences were the curse of Ireland. He did not thereby mean to say that a man was to repress his religious opinions or to be deprived of his full religious freedom; but he did assert that the existence of the Establishment created an idea of superiority in the minds of the middle class and poorer Protestants especially, which was a bar to that thorough union of all classes in Ireland without which there could not be prosperity. He repudiated the notion, no doubt in error put forward by the Member for Cambridge, that in supporting those Resolutions Catholics were attacking the religion of Protestants, and were assaulting their theology. Nothing could be further from his intention, and he might say from the intention of all Catholics with whom he was acquainted? What was the social position of the Catholics and Protestants in Ireland at that moment? He believed that they were as separate and distinct as they were fifty years ago. They met, no doubt, in public fairs and markets, purchased cattle, or entered into commercial transactions together, but there their intimacy ceased. They had no intimacy in one another's houses, especially the female members of their families, one with another; and this arose from the feelings of superiority generated by the profession of a State religion. He appealed to Protestant Irish Members opposite if this were not so, and if it were he asked the House was this a state of things that should exist? He had no ill will, he need not say, nor had the mass of his fellow Catholics, to the members of the Protestant Church in Ireland nor to their clergy; and it was to induce a better spirit, remove asperities, and advance mutual conciliation that he advocated the removal of the barrier of the Established Church. He must confess he was astonished to find the Roman Catholics accused of entering into a confederacy with the High Church Ritualists. He, as a Catholic, was there to deny such a charge; indeed, he should rather retort it on its authors. He had known of an attempted confederacy to catch the Irish vote, and by its influence to trample upon Liberalism. He had felt its effects, and could speak feelingly on the subject as regarded his own county. The hon. Gentlemen on the Treasury Bench had been asserted to be, *par excellence*, the supporters of Catholic interests. A union had been attempted to be proved between those whom the right hon. Gentleman the First Lord of the Treasury now designates as the Ultramontane Catholics and the Orangemen, by means of such a coalition to resuscitate what was called constitutional Conservatism in his own county. Persons who were afterwards Ministers of the Crown had advised such an alliance. He always thought and expressed his belief that to maintain for any time such an alliance would be futile. His opinion had turned out true, and now they had the Government who had formerly tried to creep into power by the Catholic vote endeavouring to maintain Office by a cry of "No Popery." He was happy to observe that there was growing up in England among Protestants a new school of politicians, strongly Protestant in their religious opinions, but who were freed from the slightest taint of bigotry, and preferred to see an enlightened policy pursued towards Ireland. As a type of them he might mention the hon. Member for Canterbury (Mr. Butler-Johnstone), who by his speech in that House, and by a pamphlet which he had written, had exhibited a liberality worthy of all honour. He had alluded in his pamphlet to the fact that the people in England were too much given to ignore the feelings of the Irish people, and to regard nothing of importance that did not affect their material interests. It was the vice of the school of mental philosophy of the last century to regard every human motive to be founded on considerations of utility, and that vice we were too much disposed to put in practice there, and to disregard, as Mr. Johnstone said, all Irish sentiment. It was this sentimental feeling, as he said before, which kept Irishmen apart, and a feeling of this kind, be it sentimental, or be it material, must in the interest of the country, command attention in that House. There had been three defences usually made for the retention of the Establishment—that it was the Apostolic, that it was the united, and that it was a missionary Church. To be the Apostolic would be inconsistent with its being the united Church, for the Church to which it was united, created as it was by Act of Parliament, could not claim to be Apostolic. As regards its being the united Church, it was strange for an united Church how jealous the clergy in Ireland were of English appointments being made there; and as to its doctrine, it could be considered as Anglican only by virtue of its union with the State. He need not speak of it as a missionary Church. Burke had said, if Ireland were Hindoo there would have been no Church Establishment, but in India, composed as it was of populations professing Bhuddist, Hindoo and Mahomedan doctrines, he saw that the British Government of India allowed none of its officials to meddle with the religion of the people; and could it be contended that what we did not permit in India we were to allow in a country like Ireland, separated from England but by a narrow sea. The anxiety to preserve this Establishment existed alone in the higher classes. He had that evening been credibly informed in that House that seven-eighths of the Presbyterian clergy were against the continuance of the Establishment. He could well understand members of some leading families in Ireland, traditionally connected with Toryism, being anxious to preserve it. The representation of the North of Ireland was preserved to the Tory party alone by shaking this rag of ascendancy in the faces of the Ulster Protestants. Were religious distinctions no longer to exist an Ulster Protestant would in politics be like his co-religionist in Scotland or in the North of England, he would not say a Republican, but a very advanced Liberal, and political loss would ensue to the Irish Conservatives. It might, however, be said that the genius of Catholicity being Conservative, there might be a gain in the opposite direction. He (Sir Patrick O'Brien) did not care if it were so, but he might be allowed to say, with the mass of Irish Catholics, that the very submission to authority which was imposed upon them by their religion in matters of faith they felt left them by the very contrast the freer liberty in matters political. Irrespective of political consequences he wished for peace and harmony in that country. He did not look on the disestablishment of the Church as a cure for Ireland's grievances, but he did regard it as the first stone in a future temple of concord. He would appeal to Irish Protestant gentlemen to accept what was inevitable. They for years had possessed wealth, education, and position; when religious prejudices were removed they would give them advantages in the race for political distinction, and without, as now too often was the case being obliged to coerce an unwilling tenantry they would find themselves voluntarily elected to seats in that House. He said this much, being anxious as a Catholic to reply to the questions that had been put to the Catholic Members in that House as to the grounds on which they supported the Resolutions of the right hon. Gentleman.

MR. KARSLAKE said, he had listened with much pleasure to the interesting speech of the learned Serjeant who had just sat down. [*Laughter.*] Well, had the hon. Baronet chosen the legal profession he could hardly have failed to attain that distinction. The hon. Baronet had said that to accede to the first Resolution would be to take the Irish question out of hot water. But, if so, how did it happen that the Irish question had been kept in hot water so long? Why had it not occurred to the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) that it was necessary to propose such summary and stringent Resolutions before? He would shortly state his objections to the Resolutions. The first Resolution must be considered by the Committee either by itself or in connection with the second and third, and what was that Resolution? It was a declaration by one branch of the Legislature alone, which was not intended to be followed up by any action whatever. Now, in a judicial body, and in that House, too, it was contrary to all rule to give opinion to expressions which were not to be followed up by action, and that rule prevailed even where the body could give effect to such expression of opinion. How much more strongly, then, would it hold good of that House, which was fluctuating in its nature, and a great part of which must be changed before next Easter? Even if this were to be the House of Commons which would sit next year, it would be contrary to all the views and practices of Englishmen to pass a Resolution which would be mere *brutum fulmen.* But to the first Resolution taken in connection with the second and third there was a still more serious objection. The second Resolution in itself was open to the same objection as the first—it was not a declaration of opinion by the Judges who were to pass sentence, but by a body, many of whom would not be in that House next year. But were they to declare in favour of the disestablishment of the Irish Church—in other words, were they to give the Reformed Parliament a hint as to the view it ought to entertain on a question so serious, so momentous, involving so many questions running into one another, as it were wheels within wheels, that he believed younger Members than himself would never see the end of it? But even if the first and second Resolutions were carried, and a Bill introduced to give them effect, in spite of all the able speeches he had heard on the subject, he felt still a difficulty in understanding the third Resolution. That Resolution recommended an Address to Her Majesty, praying that She would be graciously pleased to place her interest in the temporalities of the Irish Church at the disposal of that House. Now, he did not attach much weight to the objection derived from the Coronation Oath. It was imposed by Parliament, and the same power which tied the knot could untie it. If hon. Gentlemen thought that before August next the House of Commons would pass a measure which would be accepted by the House of Lords and by Her Majesty the thing might be done. But he was not sure that hon. Members recollected the words of the Oath. They were to this effect—that Her Majesty was bound to the utmost of her power to maintain the Reformed Religion established by law, and to preserve unto the Bishops and clergy of this realm and the churches committed to their charge all such rights and privileges as by law appertained to them or any of them. By one of the Articles of the Act of Union the Church of Ireland and the Church of England were made one and indivisible, under the title of "The United Church of England and Ireland." By that Article the preservation of an endowed Church in Ireland was maintained. Now, the first two Resolutions, if taken without the third, would lead to nothing—they were merely abstract. As regarded the third, the right hon. Gentleman the Member for South Lancashire, knowing that an Act of Parliament on the subject during the present Session was impossible, called on the House to address Her Majesty to take a step which would prejudice the whole question that was to come, not before this Parliament, but before a Parliament which, to a great extent, was certain to be differently constituted from the present one. He submitted that the House ought to stop the proceeding *in limine* by saying that the time had not come for taking this question into consideration. He spoke with great deference, because he knew that his right hon. Friend the Member for Calne (Mr. Lowe) would say again, as he said before, that the time had come and the man. For himself he knew that, if a few years ago, when he was asked to go down to Oxford to vote for the right hon. Gentleman the Member for South Lancashire, not as a Liberal candidate, but as the best of two Conservative candidates, he could have supposed that in 1867 the right hon. Gentleman would bring forward such Resolutions as were now before the Committee, he should have asked a question or two, and have hesitated to give him (Mr. Gladstone) his vote. The constituencies of England would have to make up their minds on this question, and he had no doubt they were considering it now. At present he should content himself with saying that the hour was not come, and that the place for deciding on the fate of the Irish Church was not this present House of Commons.

MR. ALLEN said: I felt anxious to say a few words in the course of this debate, looking at the matter from that stand-point which I think a member of the English Established Church may fairly take. And I feel bound to give my vote in favour of this Resolution, because I am fully convinced of the justice and necessity of the Irish Church ceasing to exist as an Establishment. For although a Churchman myself, I regard the Irish Church as an anomaly which ought to exist no longer, and indeed as an anomaly which never ought to have existed at all; that in a country with a population of 5,500,000, the Established Church, with its great revenue of £450,000 per annum, should be the Church of a small minority of 690,000 people. Now this is a state of things with reference to an Established Church to which, I believe, no parallel can be found in the history of Christianity; and it is a state of things which I hold it would be unwise and unjust in this House to allow to exist any longer.

There can be no question that as a missionary Church, as it has been termed in the course of this debate, it has been a failure; and, indeed, I believe it has caused the Roman Catholics of Ireland to look on Protestantism with hatred and disfavour, and has naturally prejudiced them against it, when they have seen the Church of a small minority placed in the position of a richly endowed Establishment, to which they have been compelled directly and indirectly to contribute. Protestantism has thus been constantly presented before them as the religion of ascendancy; it has been daily presented before their eyes as the richly endowed religion of what they considered a conquering race, and it is no wonder that they have rejected it. Instead of coming before them as a faith which was trying to win its way with the meek and earnest zeal of a missionary Church, depending alone for support on the devotion of its own adherents, it has come before them with all the pomp and state of a richly endowed Establishment, with a long array of Archbishops, and Bishops, and deans, and canons, with large incomes, and, unfortunately in many instances, scarcely any duties to perform. Many of these have been excellent and holy men—men who would have adorned any Church, but they have been placed in an entirely false position; Protestantism has itself been placed in a false position; and the consequence has been that in Ireland it has been a failure, and the efforts of its teachers have been paralyzed. In fact, speaking myself as a Protestant, I can come to no other conclusion than that the Irish Church Establishment has been one great barrier to the spread of Protestantism in that country. I will put it to any Protestant Gentleman in this House, if here in England, where the Roman Catholic Church being as it is, the Church of a small minority, were nevertheless the Established Church, supported by great revenues and endowments, whether it would not render the Protestants of this country much more hostile to Romanism than they are at present; because it would then always be presented before their eyes as a Church which was based on, and supported by, a great act of injustice? Now there are two ways of dealing with this question: the one is the plan of disestablishing and disendowing the Irish Church, and in time reducing and taking away the Maynooth Grant and the *Regium Donum*, or, as it is termed, levelling downwards; the other, which is the plan of hon. Members opposite, and has been frequently hinted at in their speeches, is, instead of disendowing the Irish Church, to endow the Roman Catholic priesthood, to found a Roman Catholic College, and to raise the amount of the *Regium Donum*, or, in other words, to level upwards, by endowing all alike. But how supremely ridiculous and costly this scheme would be. In the first place, in order to do justice, you would have to give the Roman Catholics—being eight times as numerous—just eight times as much endowment; in the second place, you would have to largely increase the *Regium Donum*; and in the third place, you would have to offer endowments to the other Protestant sects, who would most probably have too much good sense to accept them. Now do you for a moment believe that the Protestant feeling of this country would allow you to do this, more especially as the Irish Catholic priesthood do not ask for endowment, and even declare they would not accept it, and when, moreover, many of the most enlightened Presbyterians are of opinion that the *Regium Donum* does them more harm than good, by checking the flow of private liberality? Now this being the case, there only remains one way, and that is the plan recommended in these Resolutions, and I honestly believe it is the only wise and just course we can pursue. But then it is said that the disestablishment of the Irish Church is only the first step towards the disestablishment of the English Church: but this I deny altogether; the condition of the two Churches is essentially distinct: the one is the Church of a small minority, existing in the face of, and opposed to, the wishes of a large and hostile majority; the other is the Church of the majority, and even many of those who do not belong to it agree with most or all of its doctrines. The disestablishment of the Irish Church can never be used as an argument for the disestablishment of the English Church, till the situation of the two Churches becomes identical; so long as the English Church is the Church of the majority it will stand, and when it ceases to be the Church of the majority it must fall, because then its existence as an Establishment will be opposed to the feelings and wishes of the majority of the nation. There is a vital difference between the existence of a Church as an Establishment and its existence as a teacher of truth and religion; its existence as the former can only be maintained while it is the Church of the majority of the people; as the latter it may exist, though its members are few and only a very small minority; the one is a mere State arrangement, depending on time and circumstances; the other depends on the truth of the faith it teaches, and the zeal of its adherents. As a Protestant, and as a Churchman, I hold it just and right that the Irish Church should cease to exist as an Establishment, opposed as it is to the views and wishes of a vast majority of the Irish people; while, as a teacher of truth and religion, I believe it will still survive, and live a more vigorous life, and flourish more than it has ever done before.

Mr. BENTINCK said, he thought the House ought to be grateful to the hon. Member for the King's County (Sir Patrick O'Brien) for his statement that the Resolution of the right hon. Gentleman would not be a panacea for the people of Ireland. That was not the only time the hon. Baronet had made that significant statement, for at a meeting of the Liberation Society, held in December last, he said that the Irish Church was no serious grievance; but they had still higher authority to the same effect from Archbishop Manning in his letter to Earl Grey, who said—

> "I will not shrink from venturing even upon the land question, because it is the chief condition on which the peace of Ireland depends. . . . In comparison with it all others are light. It is the question of peace or social war."

If that were so what became of the Resolutions of the right hon. Gentleman? What did the right hon. Gentleman himself say was the primary cause of his bringing forward the Motion? He said it was the intensity of Fenianism. But Fenianism existed while the right hon. Gentleman was in power, and how, on his own shewing, could he justify himself for not then endeavouring to deal with the question? The right hon. Gentleman addressed his constituents last December at Ormskirk, and did he say anything about disestablishing the Irish Church? He said he wished to establish in Ireland the principles of religion. [Mr. Gladstone: The principles of religious equality.] That did not involve the necessity of passing such Resolutions as were now proposed. The fact was, it had not then been settled by the governing body of the so-called Liberal party that such was to be their policy. If it had, Earl Russell would not have written his letter to the right hon. Gentleman the Member for Louth (Mr. Chichester Fortescue). The principles embodied in that pamphlet were not those now advocated; and, moreover, the right hon. Gentleman in speaking on the Motion of the hon. Member for Cork (Mr. Maguire) did not venture to express an opinon that if the Irish Church should be disestablished and its property confiscated tranquillity would necessarily follow. This was the first time of late years that it had been proposed to confiscate the property of the Church to appease Irish discontent, and the same arguments that were now used for the disestablishment of the Irish Church would ultimately be applied to the Church of England. The action of the so-called Liberal party would prove this position. The hon. and learned Member for Exeter (Mr. Coleridge) had lately declared that there could be no such thing as a principle of Establishment. Again, the meeting at which a noble Earl, at one time Leader of the Liberal party, now the follower of the right hon. Gentleman, did penance in a moral white sheet and with a moral candle in his hand, and the meeting at the Metropolitan Tabernacle, crowded with persons, who did not care about the Irish Church, but went to see the Member for Birmingham as they would have gone to see Garibaldi, the late King Theodore, or the Pope of Rome, had any of those worthies mounted the rostrum, showed that the destruction of Establishments was the end sought to be attained. The object of the meeting at the Tabernacle was especially to declare hostility to the Church of England, and to the same effect was the letter from Mr. Spurgeon read on that occasion, and applauded to the echo by the audience. It was fair to admit that a section of the so-called Liberal party denied these conclusions. He had observed that at the meeting which was recently held in Willis's Rooms to present a testimonial to a right hon. Gentleman, the latter stated that he was an attached member of the Church of England, and that nothing would ever induce him to part with any of the property belonging to it; and he (Mr. Bentinck) had no doubt there were many others on the same side who entertained similar sentiments. But if in their hearts they were true Conservatives, how could they vote for these Resolutions? Nay, more, how could they place confidence in the right hon. Gentleman as a Leader? Was there a single question on which the right hon. Gentleman had not changed his opinions? He very well remembered the contest at Oxford in 1852, when the right hon. Gentleman first joined the Ministry of Lord Aberdeen. He had always thought that the right hon. Gentleman would come to his present condition of opinion, and, although a Cambridge man himself, he had subscribed a small sum in 1852 to assist in displacing him from the representation of Oxford University. At that period the hon. Baronets, the Members for Oxford University and North Devon, were the right hon. Gentleman's chief supporters, but as time went on the right hon. Gentleman forced his old friends to leave him one by one, till at last he was defeated. He then hastened to South Lancashire, where he announced to the electors that he stood before them "unmuzzled," by which expression he intimated that if they would return him, he would bring all the artillery of his unrivalled talents to bear against his former friends. He (Mr. Bentinck) considered, therefore, that the right hon. Gentleman had thus fully justified the opposition against him at Oxford. It was clear from the letter addressed by the right hon. Gentleman in 1865 to a dignitary of the Church in Scotland, and lately cited and published, that the right hon. Gentleman had only recently adopted his present views with regard to the Irish Church; for the reference in that letter to the 5th Article of the Union, and to the position of the Irish hierarchy was conclusive that "disestablishment had not then entered his mind." The right hon. Gentleman's mode of escape from his difficulty was curious. He said, "That was my idea at the time, but I have abandoned it." The right hon. Gentleman would remind the House of Touchstone, in *As You Like It,* who, after explaining the "retort courteous," the "quip modest," and so forth, showed how the "lie direct" might always be avoided with an "if"—so the right hon. Gentleman always avoided a position he had formerly taken by saying, "That was my idea, but I have abandoned it;" and if this Resolution was agreed to, he might use the same phrase next year against the protection of vested rights and personal property, which he now disclaimed any intention of attacking. The support of the thirty Roman Catholic Members, probably, gave the right hon. Gentleman his majority on the eve of the Recess; but he was at a loss to understand that support when he remembered that the two cardinal points of the Roman Catholic policy all over Europe were the maintenance of the temporal power of the Pope and religious denominational education, and called to mind what had been the language used by the right hon. Gentleman in reference to both these points. He would quote for the benefit of Roman Catholic Members the last opinion which the right hon. Gentleman had uttered in the House with reference to the temporal power of the Pope—

> "The doctrine upon which the Papal Sovereignty is supported is so intolerable that the Roman or Italian who could acquiesce in it would be nothing but a worm fit to be trampled under foot."

And after referring to the doctrine of M. Montalembert, that every one of the 200,000,000 Roman Catholics has a vested interest in the maintenance of the Papal Sovereignty, the right hon. Gentleman proceeded to say—

> "Therefore the people who inhabit the States of the Church have not so much hope left as this, that if the Pope and the Cardinals are favourable to them, they may have some chance of relief. No! every Roman Catholic in the world is to presume to deal with their feelings and destinies and to assert a political right to dominion over them. This appears to me a doctrine more monstrous than that upon which the laws of Draco were founded."

He (Mr. Bentinck) last week read this passage to a distinguished prelate of the French Church, and asked what he thought of it. The prelate said, "Very bad indeed." He then asked, "Can your Lordship believe that your co-religionists are at this moment fighting under the banner of the Gentleman who made that speech?" The prelate replied, "I could not believe it; it is very wrong indeed; they ought to be good Conservatives." And so they ought. But the right hon. Gentleman did not stop there; when General Garibaldi visited this country the right hon. Gentleman was his humble servant. Now, General Garibaldi was admitted on all hands to be, not only the determined enemy of the Pope, but also the type of anti-Christianity; indeed, he did not believe it was on record that the General while in this country visited any place of worship. The right hon. Gentleman not only patronized and entertained him, but actually visited him on one occasion at nine o'clock in the morning in order to induce him to leave this country. [*Cries of* "Question!"] That fairly applied to the question, which was how Roman Catholic Members, when the cardinal points of Catholic policy all over the world were to maintain the temporal power of the Pope and to keep up Establishments, could follow the Leadership of the right hon. Gentleman, who was so hostile to them upon every material question in which they were interested. The so-called Liberal party contained men of every shade of opinion ; and it was a sad result that if ever an independent voice was heard among them it was stifled directly, either by the tyranny of the Whips, or by the pressure of political influence. The unfortunate individual who raised the voice of independence was pressed down, sank, and was carried away by the torrent of official despotism. When the hon. Member for Nottingham (Mr. B. Osborne) rebelled against Lord Palmerston he was expelled from the quiet southern constituency which he then represented, and was obliged to take refuge in a rougher atmosphere in the midland counties ; and though not long ago he advocated the retention of ecclesiastical endowments, the pressure had been put upon him and he had been brought back to the fold. So it was with the right hon. Gentleman the Member for Stroud (Mr. Horsman), who, when he endeavoured to follow an independent course, was attacked by the hon. Member for Birmingham (Mr. Bright) and compared to a Scotch terrier, and who now, under the pressure of the so-called Liberal party, had assumed a humble position and sat just beneath the hon. Member for Birmingham. The Resolution of the right hon. Member for South Lancashire was nothing more than a mere contrivance devised for party purposes, and he should give it the strongest and most determined opposition.

The O'DONOGHUE said, he thought that the House would agree with the hon. Member for King's County (Sir Patrick O'Brien) that the settlement of the Irish Church question would not settle the land question or any other question ; but he believed that the majority of the House would be of opinion that a satisfactory settlement of the Church question would remove a very great grievance, and go a long way to convince the people of Ireland that there was a growing anxiety in that House to deal fairly with questions of vital interest to their country. Under ordinary circumstances a Motion for the disestablishment of the Irish Church would have attracted no more attention than was bestowed on any of the frequently recurrent topics of the day. The subject to which the Resolution of the right hon. Member for South Lancashire (Mr. Gladstone) referred was familiar to the minds of hon. Members and to the country, and the object which the Resolution sought to attain was one which had been sought through many hopeless years by those who loved religious equality for its own sake, as well as by the millions who had to endure the pressure of ascendancy. But in the hands of the right hon. Member this threadbare subject was re-habilitated and arrayed with new and essential qualities derived from the right hon. Gentleman's character. For the first time in the history of Irish politics a great statesman, the Leader of a powerful party, and the representative of that enlightened opinion which must control the destinies of the people throughout the Empire, had come forward to propose an Irish policy based on and demanded by justice. The Motion had brought the Irish nation and an ascendant minority face to face. It was just such a one as might have been made in an Irish Parliament by Grattan or O'Connell, and it would have been resisted there as it was resisted in that House by a party who were the representatives, not of the Irish people, but of Protestant ascendancy. The success of such a Resolution in an Irish Parliament would have established the triumph of the principle of religious equality ; and its success in the English Parliament would do that and something more, for it would show that the sympathy of the House of Commons, and of the English people — more liberal than the House of Commons — was with the nation, which sought for religious equality and the extension of popular rights, and against a minority whose guiding policy was religious ascendancy and resistance to popular demands. A measure of justice, free from alloy, was now proposed. Former attempts to settle Irish questions of national importance had been so interwoven with qualifying proposals that, though nominally some changes were made, yet for all practical purposes things were left just as they were. Thus, when Roman Catholics were again permitted to sit in Parliament, then, as a set-off to that concession the 40*s.* freeholders were disfranchised, and every Roman Catholic favourable to popular claims was left to depend for a seat in Parliament on landlord influence, or, in other words, Protestant influence. The Tithe Commutation Act of 1834 was little more than an alteration of the manner in which the tithes were collected. Those were the days of half measures, or, more accurately speaking, of sham measures. They were now going to try a remedy pointed out by the right hon. Gentleman the First Lord of the Treasury twenty-four years ago; but they were going to try it in a sense and spirit very different from that contemplated by the right hon. Gentleman. The impartial treatment, in every respect, of Protestants and Catholics was a matter of course in France, Prussia, Belgium, Switzerland, and the United States. Legislation in accordance with the wants and wishes of the majority was the rule almost all over the world; but the recognition of that principle would amount to a great revolution in Ireland. Viewed in that light, the Resolution of the right hon. Member for South Lancashire was a revolution, but, unless evil be preferred to good, it was a revolution which must command the sympathy and support of every man not carried away by party spirit or selfish interest. Nothing had astonished him more than the reckless assertion that the Irish farmers neither felt nor had any interest in the settlement of the Church question. Could it be denied that the money with which the tithes were paid was produced by the labour of the Irish farmers? When the farmer paid his rent he also paid the tithes, the landlord acting as collector. And could the farmers then, as reasonable men, be indifferent as to the way in which that money was expended? Take a district in which there were twelve farmers, all of whom paid tithes, but only one of whom was an Episcopalian Protestant, and he alone derived any benefit from the expenditure of the tithe money; and was it reconcilable with human nature to suppose that his eleven neighbours could be contented while he enjoyed this monopoly? But though at present the Irish Roman Catholic farmers obtained no value for that money, the case would be different when the ecclesiastical revenues, now misappropriated by a small minority, were applied to national purposes. There were three parties in the House on this question —first, those who were of opinion that the State Church must cease to exist; secondly, the Gentlemen from Ulster, who said it must be maintained; and lastly, others who supported a compromise which would remove some ecclesiastical inequalities. Now, to defend the Established Church as it existed would be a plain and manly course; but a compromise was the last resort of a tottering Administration. If the Government could obtain a majority they would maintain the Established Church, flatter the Orangemen, scout the idea of a compromise, and hold Office in defiance of the most solemn appeals for justice. This was what they intended to do now that they were in a minority; but he ventured to predict that, if they attempted to defend the Irish Church on its merits, they must fall before the onward march of the majority. If, on the other hand, they attempted to save their places by sacrificing the Established Church, many of the props which sustained them would be rudely withdrawn by the infuriated zealots of Ulster. English Protestantism and Ulster Protestantism were two different things. The former wanted the inflaming recollections of the Boyne, the slapping of the gates of Derry, the cracking of the boom, and the exploits of the immortal Walker. The Catholics had done everything to conciliate these Protestants. They had refrained from irritating allusions, political or otherwise, and had even made a joke of the exaggerations about Orange prowess. Notwithstanding this, there was as wide a gulf between the Irish people and Orangeism as there ever had been. If the first Lord of the Treasury could induce the Orangemen to abandon their principles in order to save his Administration, he would deserve the gratitude of mankind, and no one would then care to criticise his motives. To say that the House of Commons was unable to deal with this question was a device as disingenuous as it was weak. It was an indirect mode of saying that the House was afraid of the verdict of the country. Everybody knew that the question could not be finally settled without an appeal to the country; and everybody also knew that the action of the new constituencies would be less favourable to the Irish Church than that of the old constituencies. If the argument for delay was good for anything, then, on the passing of the English Reform Bill, Parliament ought to have suspended all further legislation except the Irish and Scotch Bills. But it was impossible to show that there were some questions which they might, and others which they might not, deal with. He maintained that, as long as the present House of Commons lasted, they were free to legislate on any question they thought proper to deal with. The conduct of the Government led one to suppose that they had no special policy upon this any more than upon any other question; that, like a sailor without a chart, they were drifting about, having not the least idea where the storm might ultimately land them. During the agitation of such a question everybody knew that an appeal would be made to anti-

Irish and anti-Catholic prejudices; but nobody would have anticipated that such an appeal would have been made by the First Lord of the Treasury. Yet he had not hesitated to raise the cry of "The Church in danger!" and had further declared that the safety of the Throne depended on the maintenance of this alien Church, and that the Ritualists had united in a conspiracy with those to whom the right hon. Gentleman had given the nickname of Irish Romanists. A respect for Parliamentary decorum prevented him from characterizing this Parliamentary fiction in adequate terms; in charity, it must be supposed to be the product of the right hon. Gentleman's heated imagination. The hostility of the Irish people to the Protestant Church had nothing whatever to do with doctrinal points, as was shown by the relations between Catholics and Presbyterians; it was directed solely against that political and religious ascendancy which were inseparable from the position of the Protestant Church as an Establishment. But although the appeal of the Prime Minister to prejudice and passion might create some turmoil and agitation, it could not postpone for any lengthened period the satisfactory settlement of the Irish Church question. There was at length to be religious equality in Ireland. The Protestant Establishment was to be disestablished and disendowed. For many long years justice had been denied to Ireland, and wise and good men who had had to yield upon this question to the superior influence of a favoured faction had gone down to their graves leaving to their countrymen the corroding conviction that injustice was enthroned in this House. The present, therefore, was a moment of triumphant exultation to the Catholics, because the cause of truth and justice was triumphant. It was not, however, exclusively a Catholic triumph, for the Catholics could not have advanced one step but for the aid of their Protestant fellow-countrymen. At every period they had given them a generous and an earnest support. There was not a district in the three provinces where there were not many Protestants, men of great territorial standing, who were, and whose fathers before them had been, fast friends of religious liberty. And he could say with pleasure on the part of the Roman Catholics that they had not been ungrateful, for in those districts not merely the rights but the feelings of the Protestants were scrupulously and religiously respected by the majority of their countrymen in every rank of life and in every sphere of duty. It had been frequently said that if the Irish Church were disestablished the Irish Protestants would be greatly irritated. No doubt those who sought for exclusive privileges would be irritated, but, fortunately, they were only a small minority. He would say to the House, "Remember that your fears must not overcome your sense of justice. Remember, moreover, that you have nothing to fear if now, although it be for the first time in your history, you put your faith in the Irish people. And remember also that in every province, county, city, and town in Ireland, with only two or three exceptions even in the North, the friends of religious equality are the immense majority, and its opponents an insignificant minority."

GENERAL PEEL: Sir, I start now from the point to which we were conducted by the celebrated division on the morning of the 4th of April. I do not think it worth while to speculate on the many causes which tended to swell the majority on that occasion; but I firmly believe that if "all hearts were open, all desires known"—if there were no secrets as to the motives which served to produce that majority, it would be found that the Protestant Church in Ireland had very little indeed to do with it. It was a great party move, and as a means of uniting—at all events for the moment—the fragments into which the party opposite were broken, and of showing the strength of the great Liberal party, I am perfectly willing to admit that it was a great success, and that the concoctors of it deserved great praise in a party point of view. A noble Letter-writer—there are really so many political letter-writers now that it is necessary to particularize them—a noble Letter-writer has remarked upon my having failed on a former occasion to recognize the justice of the comparison which he drew between the Liberal party opposite and the pioneers and engineers of an army. Now, I am bound to acknowledge, after carefully considering these Resolutions, the motives which have dictated them, and the objects for which they are brought forward, that I recognize in them a similarity to one duty which is performed by the pioneers of an army, and that is, that they do all the dirty work. I think this military comparison might be extended much further. I think the political movements of the present day very much represent the manœuvres of skilful generals in the field; that in politics in this House, as in war, every advantage is taken, and everything is regarded as fair. I can easily imagine, Sir, the anxiety under which the Leaders of hon. Gentlemen opposite met to consult how they might best counteract the great success of the able tactician by whom they were last year opposed, who completely turned the flank of their engineers and pioneers, and who seized not merely their guns, but the very great gun, which only the year before, 1866, he had himself pronounced to be dangerous, even with a comparatively moderate and diminished charge, and he loaded it to the muzzle with any projectiles which hon. Gentlemen opposite would contribute towards it, until even the hon. Member for Birmingham (Mr. Bright) who claimed the gun as his own, and who, like many other inventors, complained of the Government having taken his invention without allowing him any reward, declared that it was no longer safe; and I verily believe that hon. Gentlemen had good grounds for coming to the conclusion that there was too much residuum in it. I must confess I think that the very first effect of the discharge of that gun will be to blow the right hon. Gentleman the First Lord of the Treasury and all those who sit beside and behind him, to at all events the opposite side of the House, and that it will also imperil all those institutions which that party, previously to the schoolmaster being abroad among them held, to be of the greatest importance. Now, the Resolutions before us propose two things—namely, the disestablishment and the disendowment of the Established Church. Between those two things there is the greatest possible distinction. The disendowment of the Established Church in Ireland bears upon the matter which a Royal Commission is at present considering; and it will be quite time enough to deal with that question when the Commissioners have made their Report. But the disestablishment of the Church is the severance of all connection between Church and State. It is a refusal on the part of the State to recognize the Protestant Church in Ireland. Upon what grounds are we called upon to do that? Why, to please the Roman Catholics, who say they really do not want its endowments; but that the acknowledgment of that Church by the State is an injury and an injustice to them. And a distinction is drawn between the Protestant Church in Ireland and the Protestant Church in England—a distinction which I, for one, do not for a moment admit. I say they form the one Church of the United Kingdom, of which the Sovereign of the United Kingdom is the head. You may dissolve the Union if you please, but as long as that Union exists there is but one Church, and if you dissolve the union between Church and State in Ireland, the dissolution of the union between Church and State will follow as a necessary consequence in England also. There was a meeting held, I think, on the 16th of the present month at St. James' Hall, of which Earl Russell was the Chairman; and I believe it was the noble Chairman on that occasion who stated that no single argument was ever brought forward by those who opposed these Resolutions. Now, I hold it to be a very strong argument that the necessary consequence of severing the connection between Church and State in Ireland will be the dissolution of that connection in England also. And I am not singular in this opinion. In a debate which occurred in "another place" not long ago with respect to the Established Church in Ireland, one of the speakers said there were the usual three courses which might be pursued, and having talked of the first two he came to the third course, and I appeal to hon. Gentlemen opposite whether it is not exactly like the course proposed by the present Resolutions. The speaker in question went on to say—

> "A third course would be to "secularize" the Church funds—that is, to adopt the voluntary principle in regard to the Church in Ireland—to establish no new Church, and to abolish the Establishment which at present exists, giving to education or to any other object of public utility the revenues which are now absorbed by the Established Church in Ireland. Of course, this proposal contemplates securing a life interest to the present holders of benefices in the Church. This is a plan which I have often thought might be realized."—[3 *Hansard*, clxxxiii. 364.]

I need hardly say that is a fair description of the Resolutions now before us. The speaker, however, continued—

> "But it has very great defects in it. In the first place, you immediately destroy, as far as Ireland is concerned, the principle of Establishment. Such an example would hardly be lost on the Dissenters of this country. Although the cases might be very dissimilar, those who strove for the destruction of the Church Establishment in Ireland in favour of the voluntary principle would avail themselves of the precedent to overthrow the Established Church here. I therefore think it would be unwise in us to assent to a Bill embodying that view, even if it came from the House of Commons."—[*Ibid.*]

Well, who was the speaker on that occasion? Why, the very Earl Russell who presided over the meeting to which I have referred. But let me ask why are the Protestants of Ireland to be deprived of the advantage of being acknowledged by the State? Are you ashamed of being a Protestant country? Do you think that the Roman Catholics in Ireland would have a greater respect for you if you professed yourselves to be a Godless State? Do you not think, on the contrary, that those Roman Catholics who would not acknowledge your "Godless Colleges," but insisted on having Colleges of their own, would not be the very first to insist on the religion of the majority being acknowledged as the religion of the State? What they object to, as I before said, is not the endowment, but the acknowledgment by the State, of the Protestant religion. I am perfectly aware it has been said by some that the connection between the State and the Church was dissolved when the doors of this House were thrown open to persons of all religions. I think it was the late Mr. Drummond who observed that if Mr. Speaker went up with an Address to Her Majesty, and Her Majesty chose to ask him, "Pray, of what religion is the House of Commons now?" he would be obliged to answer, "It is of no particular religion, the same religion as other people." Now, I object to these Resolutions. I object more particularly to the time at which they are brought forward; and I think that, except for party purposes, never was there a more inopportune moment for considering this question. Why, we have always been told that everything has been conceded to Ireland from fear. Do not you suppose that as long as a single Fenian exists he will say, and say, at all events, with some appearance of truth, that had it not been for Fenianism these Resolutions would never have been brought forward? We of course know better; they have been brought forward on account of the exigencies of party. But what will posterity think of the statesman who brought forward these Resolutions at a moment when it was utterly impossible for the House to settle this question? You hope by these Resolutions to disestablish the Protestant Church, yet, at the same time, you profess to maintain the rights of individuals. Now under what law, temporal or ecclesiastical, are these rights to be exercised, which, as the right hon. Gentleman told us, may last for nearly a generation? Take the case of two adjoining parishes. The incumbent of one parish may live thirty years, while the incumbent of the other may not live thirty days. Are the parishioners of the former to go on all that time with endowments while the parishioners of the other—perhaps a poorer parish—are to tax themselves, or go without any minister at all? Under what law, I ask, is the incumbent of the former parish to carry on his duties? There may be no Bishop, or, if there be, he may have no power to exercise any control over him. Such incumbents will be perfectly independent as long as they exist, and I cannot see what provision there will be for their duties being carried on. These Resolutions, brought forward at such a time and for such a purpose, have almost worked a miracle upon me; for they have almost reconciled me to the Reform Bill of last year. I venture to say that no Parliament assembled under the provisions of that Act will ever show such glaring inconsistency as has been shown by this Parliament. Accusations of inconsistency are bandied about from one side of the House to the other, and the other day we heard a Leader of the party opposite reminding his opponents of the adage that they who live in glass houses should not throw stones. Well, it seems to me that as this House is not large enough the sooner it is adjourned to the Crystal Palace the better, for then hon. Members would there be constantly reminded of the danger of throwing stones. I think, too, that the very first Motion which ought to be made in the new House should be that all copies of *Hansard* and all records of past proceedings should be burnt. Well, now, a moribund Parliament proposes to make a moribund Church. You are either about to carry out the greatest change which has ever been effected in the Constitution of this country, or else you propose to leave on record your opinion that this ought to be done, whereas you have no power to prevent the agitation which must occur before another Parliament meets. An hon. Member behind me suggested the other evening that some pieces of old china should be secured for the British Museum. Now, I would suggest that a still greater curiosity should be secured for that institution. I think the Treasury Bench should be removed and handed over to the British Museum, with the inscription, "This is the Bench, for the honour of sitting on which all other honour, all consistency, and all statesmanship have been sacrificed."

Mr. HORSMAN: Amusing and characteristic as was the speech of the gallant General, it offered no exception to the most remarkable feature of the debate, that every conceivable argument has been urged against the disestablishment of the Irish Church except the one which was most needed, and which alone could have weight. We have heard from the gallant General about the Act of Union, and the union of Church and State, about waiting for the Report of the Commission, and the danger as to the English Church, which is sure to follow if the Irish Church is disestablished. We have heard, too, in the able speech of the hon. Member for Londonderry of the irritation which the measure will cause in Ulster. The changes have been rung over and over again upon these objections; but, strange to say, no speaker on either side has thought fit to urge that which would be the only valid objection to the Resolutions—namely, that the Established Church in Ireland has fulfilled the conditions for which alone an Established Church could ever be intended, or ought to be permitted to exist. The Government and their supporters, not having a word to say upon the merits of the Established Church, having no argument whatever upon the case against the Resolutions of my right hon. Friend, are mindful—the hon. Members for Cambridge and West Kent especially—of that which is the great rule in Courts of Law, when you have a bad case abuse the plaintiff's attorney. Leaving their own lines undefended, they have turned their battery upon their opponents, whom they accuse of inconsistency, insincerity, and factious motives. "See," they say, "how inconsistent you are. Why, when you were in Office you would not touch the Irish Church, and now, when you are in Opposition, you will not let it alone. You change your sentiments with your seats in this House, and you unsay on one side of the House what you were vehemently saying on the other." In fact, they accuse us—and nothing could be more disagreeable or severe to my mind—of doing exactly what they did themselves last year. "We wonder," they say, "you are not ashamed of yourselves; and there is your Leader exactly following the tactics of our Leader. Why, we wonder how you can follow him." Now, this charge would be a very unpleasant one if it were not ridiculous. The Reform Bill of last year was carried by such means that even the hon. Member for Birmingham declared that the country was paying a high price for it. Is it possible that the Liberal party are carrying the disestablishment of the Irish Church by like means, and are thus lowering the character of public men? Now, do not let us take refuge in ambiguity and evasion. Let us in that respect eschew the example of the Government. Let us meet the charge openly and fairly; show what it is the Government charge us with, and what is our answer before the country. The gallant General, following up the speeches of the hon. Members for Cambridge and West Kent, brings these charges against the Opposition. He says, —"You were twenty-six years in Office, with full power of dealing with the Irish Church, and you refrained from exercising that power; but now, when you are in Opposition, you raise it for a party cry suddenly and unreasonably. You bring it forward solely for party purposes at an inconvenient time, in the last Session of a dying Parliament, when you know it cannot be dealt with." Then, again, we are told, "Your Leader has also being inconsistent. He has changed his opinions; his language and policy have undergone a sudden and surprising change. Three years ago he expressed opinions directly the reverse of those he is expressing now, and only one inference can be drawn from it, that he is anxious to regain Office." Now I think I have stated your accusations fairly; let me see whether I cannot meet them fairly. Is it true that the Liberal party were twenty-six years in Office with the power of dealing with this question? Why, at the earlier part of that period, at the time when the high tide of popularity which followed the passing of Lord Grey's Reform Act had not receded from the Whigs—when they were more powerful than they have ever been since—they attempted more than once to deal with the question. And why did they fail? They failed because the Tory Opposition was too strong for them. Since that time parties have been so evenly balanced, the opinion of the country has been so divided that I am sure any hon. Gentleman opposite will admit that any Liberal Minister attempting to deal effectually with the Irish Church would have been rushing upon his own destruction. In those twenty-six years we could not even abolish church rates; we could not carry the admission of Jews to Parliament, nor any one of these ecclesiastical or religious questions upon which the Tory party always rallied as one man, with the House of Lords to back them. When we could not even carry a small question like the abolition of church rates, how could a Liberal Minister have dealt effectually with the Irish Church? But the moment the Tory party came into Office these vexed questions were all settled; and why? Because the conduct of the Liberal party in Opposition was directly the reverse of that of the Tory party in Opposition. Why, it has been the practice of the Liberal party—to their honour be it remembered—to assist their opponents on getting into Office to carry those measures which they had obstructed in Opposition, and for which the mind of the country had been prepared by the efforts and sacrifices of the Liberal party. How was Catholic Emancipation carried in 1829? How was Free Trade carried in 1846? How was the Reform Act carried last year? On all these questions the well-disciplined Tory party had one unvarying consistent rule of conduct. As long as they were in Opposition they held to the pass; as soon as they got into Office they sold the pass. Now, what they had done upon other questions they might have attempted with the Irish Church, and what we have done on other questions we were ready to do with the Irish Church. We were ready to give them the facilities they refused to us, and enable them by our assistance to do what we have always found it impossible to accomplish in the teeth of their determined hostility. Well, but if that charge, that we have been twenty-six years in Office without dealing with the Irish Church be unfounded, what shall we say to the second charge brought against us by the gallant General, that we have been the first to obtrude this question upon Parliament, and press it this Session to the obstruction of other and more important measures? But is that the case? Is it the Liberal party that first brought this question forward during the present Session? ["Hear, hear!" *from the Ministerial Benches.*] Is that what you say we have done? ["Hear!"] Do you again repeat it? ["Hear, hear!"] When did my right hon. Friend give his Notice? On the 23rd of March. Had the Government done nothing before that to make the Irish Church the most important question of the year? Was it not authoritatively announced in the Recess that this was to be an Irish Session, and that the Government had a great scheme of Irish policy in which the Irish Church was to be included? ["No!"] Were not the Irish Members told that their demand for religious equality was to be conceded in the course of the present Session? ["No!"] Did not the Government themselves indicate an intention of establishing that equality? What was the meaning of the speech of the noble Earl (the Earl of Mayo), and of the policy he announced in placing the different religions in Ireland on a footing of equality by "levelling upwards?" Who was it that proposed to give a charter and endowment to the Catholic University? ["No endowment."] Who declared an intention of elevating the status of the Catholic Bishops? Who was it that promised to give a large increase to the *Regium Donum*, and endeavoured by all these measures to commit Parliament to an endowment of the Roman Catholic Church? The Government knew very well when they proposed these vast and sudden and startling changes that they must give rise to long and animated discussions; they were not deterred by the consideration that we were in the last Session of what the right hon. Gentleman calls a moribund Parliament, with Scotch and Irish Reform Bills to pass, and with a Boundary Bill and a Bribery Bill still to come before us. It was only when their aggressive policy of "levelling upwards" was met by our defensive policy of levelling downwards, and when it was found that throughout England, Ireland, and Scotland our policy was approved and their policy universally condemned, then it was we were told that the Irish Church was not a fit question for a "moribund Parliament" with two Reform Bills to pass. Why, Sir, they ought to have reflected on that before they threw down the challenge we were compelled to take up. If a "moribund Parliament," with two Reform Bills to pass, could endow three Churches in Ireland, surely it was able to disendow one. If a moribund Parliament with two Reform Bills on its hands could grant a charter to the Catholic University in Dublin, assuredly it could withdraw an endowment from the Roman Catholic College of Maynooth. And if a moribund Parliament could charge a large addition to the *Regium Donum* on the Consolidated Fund, assuredly it was competent to say that all religious charges whatever on the Consolidated Fund should cease and determine. No, Sir, it was the Government itself and not the Opposition that interposed the Irish Church between this House and the Reform Bills. It was our "No Popery" Premier who deluged us with those propitiatory offerings to Popery, and who was prepared to be the humble servant of the Pope as long as he thought the votes of Irish Romanists were to be ensnared. But when the Government find what a blunder they had made, then they throw on us the responsibility of obstructing public business, and call on us ignobly to retreat from a discussion into which they themselves were the first to force us. But I hope we shall not retreat. We have not raised this question, but being once raised by the Government for their own purposes, I trust we shall not let it rest until the battle is fought out, and that there shall be no truce and no quarter until the outworks at least are carried. It would be a pitiful proceeding for the Liberal party if, when the Government had delivered this question into their hands, they were to suffer you to leave that Chair until by passing all the three Resolutions they had protected themselves against the taunt of having obstructed Public Business for the mere mockery of passing an abstract Resolution, and did not show their sincerity and their courage by giving effect to the principles which they profess. I think, therefore, I am justified in maintaining that both the charges brought against us —the first, that we had the power of dealing with this question for a quarter of a century and did not do so; and the next, that we have been the first to raise the question in the present Session—are both unfounded. I do not know whether it would be worth while, or whether my right hon. Friend (Mr. Gladstone) might not think I was taking too much on myself, when in appearing to defend him I was in reality defending myself, if I were to allude to the charge brought against the whole Liberal party of following a Leader, who, upon this occasion—as it is said on the other side—has shown inconsistency—and a sudden change of opinion and policy. In answer to that I can state that, with my vivid recollection of the events of 1865, I heard the speech of the right hon. Gentleman the Home Secretary the other night with great amazement. I really felt, while he was speaking, that either he or I must have been dreaming, for I never heard a speech which—every word of it—was so entirely contrary to the facts as I remembered them; and it was not until I referred to the speech the next morning that I was assured my ears had not deceived me. My right hon. Friend opposite (Mr. Gathorne Hardy) is always an agreeable speaker; but never so agreeable or powerful as when he descants on the subject of inconsistency. When he comes forward as the champion of consistency his dislike of inconsistency is carried to an excess which is almost a weak point in his character. Then he is impressive, then he is even severe. Turning to my right hon. Friend the Member for South Lancashire, he said, "You are the last man who should move these Resolutions, because only three years ago you expressed opinions diametrically the reverse of those you are expressing to-day. Your change has been a surprise to the House and the country, and above all to the Press." And he added, "Those very organs of the Press which are now supporting the policy of the right hon. Gentleman are expressing their surprise at his change of opinion." Then he went on to say, "After the exposure I have made of this flagrant change even those who have expressed confidence in the right hon. Gentleman must now"—

Mr. GATHORNE HARDY: I beg to say that I never used any language of the kind.

Mr. HORSMAN: If the right hon. Gentleman will refer to-morrow, as I have referred, to the report of *The Times*, he will find that language attributed to him.

Mr. GATHORNE HARDY: I must request the right hon. Gentleman to quote from some authority on which I can rely.

Mr. HORSMAN: Does the right hon. Gentleman repudiate the report of *The Times?*

Mr. GATHORNE HARDY: I never repudiated any report. I have repudiated what the right hon. Gentleman says.

Mr. HORSMAN: I am so challenged by the right hon. Gentleman that I hope the House will give me its indulgence while I join issue with him on points upon which I would not otherwise trouble the Committee. Did he or did he not say that my right hon. Friend had made a speech in 1865 in which he indicated a policy the reverse of that which he is now pursuing? [Mr. Gathorne Hardy: I said nothing of the sort.] Did he say there had been a change in my right hon. Friend which was very sudden and very surprising? Do you repudiate that? Did he say that the organs of the Press, even those who were now supporting his policy, were expressing their surprise at the suddenness of the change? I am thankful I have got the right hon. Gentleman to admit one thing.

Now, I affirm that if I am capable of understanding language, or if the newspapers to whose reports we attach most importance are capable of reporting a speech correctly, I have accurately described the statements attributed to the right hon. Gentleman. He repudiates them, and of course as I have not at hand the evidence of what I have stated I at once put that aside. But I have got this point admitted—that the right hon. Gentleman said that the Press of this country, and especially those organs which now support the policy of my right hon. Friend, expressed surprise at the suddenness of his change. But what did these newspapers—the newspapers which are now stated to be expressing amazement at the suddenness of this change and the novelty of those opinions—say the morning after the speech of 1865? I can give the right hon. Gentleman some of the criticisms that were made on that speech. Here is a short opinion of one of the leading organs of the party to which the right hon. Gentleman belongs. It is only about half a dozen lines—

> "No lover of his country can look forward without something like terror to the day so confidently predicted, when Mr. Gladstone is to hold the chief place in the national councils. That day will inaugurate an era, a new system of Government, in which many good things and true, many institutions, time-honoured and cherished, among which the Established Church of Ireland will be perhaps the least, will be destined to fall before the march of popular enlightenment, as understood by Mr. Gladstone."

Does the right hon. Gentleman mean to say that that newspaper now expresses astonishment? ["Name!"] Why, it is the newspaper in which the right hon. Gentleman gropes for extracts—*The Morning Herald*. It is the right hon. Gentleman's own organ. Here is the opinion of another Conservative organ—

> "The debate on the Irish Church Establishment exhibited Mr. Gladstone in a light which strangely foreshadows his future career. His speech, beyond doubt, was the political event of Tuesday evening, and it reached to a point of Radicalism, threatening danger, should the right hon. Gentleman ever assume the chief responsibility of Government and Legislation in this kingdom. . . . . We can understand Mr. Dillwyn and Mr. Bernal Osborne—but when Mr. Gladstone, a Member of the Cabinet, speaking in the name of others than himself, assails the constitutional position, denies the efficiency, questions the rights, and would litigate upon the trusts of a great national Establishment, at what point are we to pause? Mr. Gladstone advocates a confiscation of endowments; he would carry an act of religious devastation through every diocese and district of Ireland. . . . . He would give up the Irish Church to be devoured, and what then becomes of settlements, bequests, property, peace, loyalty, liberty, and order? for they are equally imperilled by his doctrine."

That is from another Conservative organ—*The Standard*. Now, does the right hon. Gentleman mean to say he was justified in telling this House that the Press of England was now expressing surprise at the suddenness of the change and the novelty of the conversion of my right hon. Friend? You may say that these are exaggerated opinions of opponent journals, but I could give you, if necessary, the opinions of journals of the opposite extreme in politics, such as *The Morning Star* and *The Nonconformist*, all putting precisely the same construction on the speech, only they praise what the others censure. I may say that I should not have ventured to read these extracts had it not been that the right hon. Gentleman repudiated everything else, and compelled me to produce the only evidence I had. I will now read a few sentences from a neutral organ, a weekly paper—and I say this because I am not endeavouring to defend any particular Leader, but the whole of the Liberal party, from the charges in which we are all implicated.

Mr. DODSON: I may remind the right hon. Gentleman that he is not at liberty to quote extracts from newspapers referring to debates which have taken place in this House.

Mr. HORSMAN: I must apologize to you, Sir, for not having explained that the extracts which I am quoting do not refer to any debates which have occurred this Session or during the existence of the present Parliament. A dissolution has taken place since their publication, and the events to which they refer are now historical. The right hon. Gentleman then proceeded to read the following extract:—

> "The first part of his (Mr. Gladstone's) speech was devoted to the establishment of the proposition that the Irish Church Establishment ought to be swept away. . . . He first laid down, in the most extreme terms, that its present position was a gross injustice to the Roman Catholic population, and that all proposed remedies short of absolute confiscation were hopeless; and then proceeded to explain to the Roman Catholics that this injustice was riveted on their necks by the Protestants of England and of Scotland."

["Name!"] That is taken from a neutral paper—at least, I have never known whether it preferred a Leader on this side or that side of the House—*The Saturday Review*. ["The date."] It was the week of the debate. But the right hon. Gentleman said that the Government was surprised, and that his Colleagues were surprised. Now, Sir, if the House will permit me, I will read an extract from a speech that was made by one of his Colleagues who sat by him in that debate. Mr. Whiteside described the speech in the following words:—

> "I ask any one to consider what was the meaning of the picture which the right hon. Gentleman drew of the two provinces of Munster and Connaught. His argument, if I understand it, means this—'The property there reserved for the Church is far beyond its necessities. . . . . That being so, what are we to do with it? It is impossible for me to suggest what should be done with that property. That I leave to the councils of the future. I may hereafter be called upon to say what is to be done with it; but I wish that my speech may be on record in *Hansard*, showing that my argument was that that property may be abstracted from the Church for some purpose or other, either for the Roman Catholic Church or for some other object; but it is not to remain the property of the Church.' If the argument did not mean that, what did it mean?"—[3 *Hansard*, clxxviii. 444.]

Well, now, Sir, I again ask, whether the right hon. Gentleman was justified in fixing upon this side of the House charges of inconsistency of conduct and great change in policy, and of stating that the surprise which was felt at the change was shared in by the newspapers which had in 1865 indicated and predicted as inevitable that very change? It is with great reluctance that I have read these extracts, but there is one more with which I wish to trouble the House, the more so as it refers to the right hon. Gentleman the Home Secretary in complimentary terms, and cannot therefore, be regarded entirely as a one-sided article. It is also from a weekly paper published in the week of the debate, and the article is headed "Hardy *v.* Gladstone." It goes on in this way—

> "The debate on the Irish Church gave an admirable opportunity to Mr. Gathorne Hardy and Mr. Gladstone to address indirectly that great University constituency, for the suffrages of which they are to compete at the next election, on one of those subjects which lie nearest to his heart. We are afraid we must admit that the able Conservative who represents Leominster has made a great point for himself in the coming contest by the speech which he delivered on that occasion, and that the Chancellor of the Exchequer, on the other hand, while raising his reputation as a Liberal politician—nay with thinking men not only as a Liberal politician but as a Churchman and a Christian—by the admirable speech of Tuesday night, has taken another step towards that all but inevitable doom which, if not at the next election, before many years are over, must transfer him from the representation of a learned corporation always in the rear of the political life of England to the representation of some great city or populous county division which leads the van. Mr. Hardy's speech was a masterly speech considered in relation to his candidature for Oxford University. Mr. Gladstone's speech was a rash and almost a reckless speech considered in the same light; but, considered in relation to the duties of the Liberal party and his own political future, it was a speech to increase our confidence in his wisdom and to raise our estimate of his prescience."

I again, therefore, put it to the House—was the right hon. Gentleman justified in fixing upon my right hon. Friend the charge of inconsistency for pursuing a course which at the time was pointed out by the organs of the public Press, and in taunting us with having for some party purposes changed our opinions? Did that speech not express the opinions and indicate the policy now embodied in these Resolutions; and if they had not been brought forward, might not the Irish followers of the Pope—a new appellation for them from the Treasury Bench—have fairly charged him with breaking the pledges to which he had given utterance in 1865? Let the House consider for a moment what are the circumstances which have brought about a more sudden and extensive change of opinion than we have ever known to take place on a question equal in importance to this. What was the feeling of the Liberal party in 1865? When the hon. Member for Swansea (Mr. Dillwyn) first brought forward his Motion it was a matter of conversation and counsel among those who agreed with him in opinion; and I remember that I strongly deprecated the continual bringing forward of the question. I asked, "What practical object do you expect to attain through the discussion you invite? You know the Liberal party is thoroughly united upon the question; you know our Leaders have spoken out," and I said, "Supposing Lord Palmerstone were to send for you to-morrow, and ask you to draw up a scheme for dealing with the Irish Church, to the support of which he would pledge his Government, even to resignation, could you propose any scheme short of disestablishment?" Their answer was, "We could not." "Then," said I, "what is the use of making speeches denouncing an evil if you cannot even suggest a remedy; because you know, as well as I do, that the disestablishment of the Irish Church is what no Minister is likely to propose in our time?" That was my opinion in 1865, but I was a very short-sighted mortal. There are many of us on both sides of the House who then thought the disestablishment of the Irish

Church very remote; there were also many other questions which we thought even still more remote. I thought the day very remote, indeed, when we should see the great Conservative party wheel round as suddenly as ever any regiment wheeled round at the word of command, and, with one accord, set themselves to unloosen, as one of their Leaders has expressed it, "the moorings of the Constitution." I thought the day was very far distant when they would precipitate that change in the governing power of the country which, up to that very moment, they had one and all sincerely and passionately denounced as revolution. Yes, Sir, we were then all short-sighted mortals, and I put it now to the candour of hon. Gentlemen opposite, if they had been asked in 1865 which change would come first — the disestablishment of the Irish Church at the hands of the Liberal party, or household suffrage at the hands of the Conservative party, what would they have said? They would have answered—"Disestablishment of the Irish Church by the Liberals is possible; but household suffrage by the Conservative party is a sheer impossibility." They would have concluded that no Government calling itself Conservative could have so made merchandize of its principles for the sake of Office, and they would have told us that the outraged feelings of a great and chivalrous party in its dignity and might would have risen as one man to exterminate the Government. Politics has been defined as the madness of the many for the gain of the few. ["Party."] Well, Sir, "party" has been so defined, and I suspect not a few on the other side of the House are now of opinion that that was the saying of a very wise man. But I fear that the lucid interval has not yet returned to the party opposite; for if we may judge from the speeches during this debate, there are Gentlemen on the other side of the House who are still under the delusion that they can enact a revolution and afterwards relapse into a policy of obstruction. They have evidently not yet become acquainted with the cardinal law in our Parliamentary system—that we never go back. A battle once fought out and settled within these walls is never revived: the vanquished join with the victors in giving loyal effect to that change which Parliament has decreed. Therefore, Sir, although I was not one of those who originally demanded the change that has been made, now that Parliament has resolved on it, I accept it as Parliament intended it—as a boon to be perfected, and not as an evil to be crippled and counteracted. I accept it as my hon. Friend behind me has done, not as the termination of reform, but as the precursor and instrument of other reforms. I accept it in the sense in which it was received by the unenfranchised masses, not as an end, but as a means to be honestly, loyally, and effectively carried out to its just and legitimate results. I can very well imagine a Tory Government—I use that phrase because the gallant Member opposite was cheered by his party when he said he preferred it—I can well understand a Tory Government that in 1866 denounced a £7 suffrage as revolution only to discover in 1867 that household suffrage was high Conservatism — having abandoned their principles and embarked without chart or compass on a new and turbulent sea of legislation—would stand confused at what they had aptly described as their "leap in the dark;" but to those who have been watching the signs of the times, and seen how the horizon has been studded with troublous questions, it has been no "leap in the dark;" they see in that change the creation of a new power that will inaugurate a new future in legislation, and in that future they see the doom of all that has nothing but antiquity to recommend it. Things will no longer be tolerated because they are; changes will no longer be rejected merely because such things have not been; public wants and public duties will be measured by a new standard, and settled by the requirements of a new opinion. Questions that might have been dormant for a generation have been advanced a generation by one year of legislation, and, foremost among them, the Irish Church has been propelled into a front place, to fall under that law of progress and transformation to which hon. Gentlemen on the other side of the House last year unconsciously imparted so sudden, so irresistible a new life. Observers have noted that, in England, all great questions rise to their settlement in a day. Mr. Cobden often remarked to his friends that the English mind was only capable of taking in one great question at a time; so it is that when one great question is disposed of another instantly takes its place; and when last year the Reform question was settled, it required no great foresight to predict that the Irish Church question was the next to occupy a front place. Consequently, although in 1865 I believed the question was very remote; when I was written to last winter on the subject, and asked my opinion of the Irish Church, I said my opinion was that the time for disestablishment had come, and I took the earliest opportunity of expressing that opinion in this House; and before I knew the right hon. Member for South Lancashire had resolved to take action in the matter; indeed, he could not have done so, because the policy of that Government was only made known to him in that debate. At the same time, I certainly should have deprecated any attempt at legislation, or the coming to any resolution of any sort in this Session had it not been that we were driven to it by the proceedings of the Government. When the Government unfolded its policy to the House the right hon. Gentleman very properly propounded his counter policy, and we have now in the Propositions of the Government and the Resolutions of our own Leader that clear and distinct issue which the right hon. Gentleman said he desired. It has been said by the Member for Cambridge that the issue before the House was disestablishment or the existing state of things. That is not the fact; the issue is between the policy of the Government and the policy contained in these Resolutions. The Government policy, as stated by the Irish Secretary, is to establish religious equality in Ireland by levelling upwards; the policy of the Resolutions is to establish equality by levelling downwards. The policy of the Government is to charter and endow a Roman Catholic University as a preliminary to endowing the Roman Catholic Church; the policy of the Resolutions is to disendow the Roman Catholic College of Maynooth, and to leave the Roman Catholic, like the Protestant Church, to its own resources. The policy of the Government is to elevate the status of the Roman Catholic Bishops, and give them the countenance of the State; the policy of the Resolution is to divorce the State from all ecclesiastical styles and dignities in Ireland, and to put Protestants and Catholics entirely on an equality, without countenance or interference of the State. Again, Sir, the policy of the Government is to increase the *Regium Donum* by a new charge on the Consolidated Fund; the policy of the Resolutions is to relieve the Consolidated Fund from all charges for any religious purpose whatever. In a word, the policy of the Government is to have three endowed Churches in Ireland; the policy of the Resolutions is to have none. These are the points of difference between the two sides of the House on which we shall go to the country. ["No, no!"] Well, then, if you are afraid or ashamed of them, you are repudiating the policy of the Government. These are the points of difference. ["No, no!"] They have divided the House into two hostile camps; we have already had one clear party division, and what, under other circumstances, would have been a very decisive Government defeat. But in these days there are no decisive Government defeats; the Government are not remarkable for sensibility; they court defeat. Defeat is the element in which they live. And, if they court defeat, they will find us of a very accommodating disposition; and I trust our supply will be quite equal to their demand. The fact is, the right hon. Gentleman at the head of the Government made a slight miscalculation. He had an idea—and it was a very clever idea, if only it was not too clever—that Reform was the stumbling-block in the way of his perpetual retention of power. He did not see what I should have expected so clever a man to see—that, by the settlement of the Reform question and the infusion of so large a popular element into the new constituencies, he raised up a new crop of popular questions that must give a distinctiveness to the fading differences of party, and draw a new line more hard and more impassable than ever. And, so far from Reform being the only question which divided the two sides of the House, it happened to be precisely the reverse. Reform was the only great question that divided, and confused, and perplexed the Liberal party. Ever since I have been in the House there has been this great gulf between the two sections. There has been a section of moderate Liberals that recognized a Leader upon the front Bench, and another section of advanced Liberals that recognized a Leader on the Bench behind me. But the right hon. Gentleman has bridged over the gulf. The one great wave of Reform has merged all small differences upon this side of the House as if they were straws or cobwebs. This one difficulty about Reform, with its bickerings and soreness, petty persecutions and angry recriminations, spread itself into every question on which Reform was a question rather of degree than of principle. The gallant General reminds us of our differences. Let us, who listened to the speech of the noble Lord the Secretary for

Foreign Affairs and then to the reply of the gallant General himself from below the Gangway, remind him that those terms of distinction which have become obsolete in our vocabulary are likely to become fashionable with our opponents. Having made themselves welcome to our measures, they are welcome now to our terms of distinction. On this side of the House we had no more use for them: the right hon. Gentleman had educated his opponents much more effectively than he has educated his friends. I think it was the Secretary for India (Sir Stafford Northcote) who said in a tone of emotion, as if unwilling to prefer so grave a charge against any one of his fellow-creatures — "We know what you are at—you want to turn out the Government— that is what you are at." And then, turning up his eyes, he almost exclaimed like Mrs. Malaprop, "Good heavens! what a wicked world we live in." "But," he added, "you will not find it so easy to do; we mean to die hard; we are at the beginning of a long fight, and it shall not be our fault if we give in before the battle is fairly fought out." I must say that I thought this rather an ill-timed and injudicious bravado. The right hon. Gentleman seemed to think the Government had a body of followers behind them who would follow them as the tenth legion followed Cæsar. But I can assure him that, if he had seen the physiognomies of Gentlemen below him and behind him while he was speaking, he would have found these anything but re-assuring. We who sit here have observed for some time past that the prevailing expression on the countenances of hon. Gentlemen opposite has for some time past not been such as those who wish to see the human face divine in its most graceful forms would altogether desire. But I will give the right hon. Gentleman and his Friends some comfort. I assure him sincerely that the friends of disestablishment feel that their work is done for them far more speedily and far more effectually by the Government remaining in Office than by their resignation. Once let us pass these Resolutions before the House with large majorities, and then the three stages of the Bill that will be founded on them, and without those Gentlemen budging from their places; and then what the House of Lords do with the Bill will be of much more consequence to the Lords themselves than to the Irish Church or to the Liberal party. A very weak citadel may withstand a vigorous assault from without, but the strongest citadel cannot survive an insincere and treacherous defence. From the creation of the world there has been but one test of the sincerity of men or of parties, and that has been the sacrifice which they were ready to undergo for that which they professed to value. The Government are ready to carry their opposition to any extremity, or to make any sacrifice short of imperilling their retention of Office. When they come to that point they stop. Out of nine Members of the Cabinet that adorn that Bench, I believe it is notorious now that no less than eight are in favour of disestablishment. The ninth—the Secretary of State for the Home Department—is much averse to the disestablishment of the Irish Church; but is still more averse to the disestablishment of the Government; he evidently considers that the more valuable institution of the two. And that is a question upon which his Colleagues, without one dissentient voice, cordially agree with him. Therefore they retain their seats with an unanimity, and give to us in furtherance of our measures an assistance which I really think will entitle them to a large share of the honour of carrying the measure. I am sure my right hon. Friend the Member for South Lancashire will not grudge them their due share of that honour, and I venture to say he will be generous enough not to complain when next the First Lord of the Treasury is entertained by his admirers in Edinburgh, and boasts—as he may do without imperilling his character for veracity—that the disestablishment of the Irish Church is the thirty-third great measure of Reform which has been carried with a Tory Government in office, in spite of the obstruction of factious Liberals.

Lord JOHN MANNERS said, the right hon. Gentleman who had just sat down had appeared in the character of the historiographer of the Liberal party during the last thirty years; but if his statements had been as accurate as no doubt they were interesting, he should still have been at a loss to discover their relevancy to the present question. What the conduct of Lord Althorp in 1833 had to do with the conduct of the right hon. Gentleman in 1868 he failed to discover; but his statements were as inaccurate as they were irrelevant. The right hon. Gentleman told them that the Liberal party after the passing of the first Reform Bill made every effort to settle the Irish Church question; but were unable to do so owing to the opposition of the Tory party. Was this the fact? What Liberal Government had ever proposed in a speech from the Throne to disestablish or disendow the Irish Church. Was it the fact that any Liberal Government or statesman had ever made such a proposition to the House of Commons? In every measure introduced in those days—to quote the very words—"the increased efficiency and permanence of the Established Church" was invariably made the basis of legislation. What became, then, of the statement of the right hon. Gentleman that the obstinacy of the Tory party had prevented Liberal Governments, with some of which he himself had been connected, from settling the Irish Church question? Again, the right hon. Gentleman told them that, owing to the opposition of the Tory party, they could not even settle the comparatively small question of church rates. Did the right hon. Gentleman forget, or expect the House to forget, that year after year, and Session after Session, the most powerful vindicators of the principle of church rates were Lord Palmerston and Lord Russell, heads of Liberal Governments under whom the right hon. Gentleman had served? Then the right hon. Gentleman told them that whenever the Tory party came into power it was easy to pass those great political and ecclesiastical reforms, as these invariably received the most hearty and generous assistance from the great Liberal party, of which he was so distinguished an ornament. The right hon. Gentleman even had the courage to speak of the Reform Bill of last year. Her Majesty's Government undoubtedly felt greatly indebted to the right hon. Gentleman for the powerful assistance which he rendered to that measure; but if they had not received more effective assistance from other quarters, the large and numerous class of Her Majesty's subjects who now looked forward to exercising for the first time the privilege of the franchise would not be in that position at the present moment. Coming down from remoter periods, as to which the right hon. Gentleman had been thus singularly inaccurate, he next gave a sketch of what he fancied had occurred during the Recess. According to the right hon. Gentleman the Government had declared that this Session was to be devoted to the settlement of all great questions, including that of the Irish Church. The whole thing was a dream of the right hon. Gentleman, and he could only characterize it as being on a par with that wonderful misconception and mystification of what had been stated by his right hon. Friend the Secretary of State for the Home Department. The Government knew that a severe and protracted task lay before the House in the completion of the great measure of Parliamentary Reform to which Parliament last Session had given its assent; and though there might indeed be time found for some measures of subordinate importance, who could imagine that, with the supplementary measures of Reform to be carried, the Government would even undertake to submit the great question of the Irish Church to the present Parliament? It was a dream, an invention; and not the only one for which they were indebted to the right hon. Gentleman. It was perfectly well-known that the moment Her Majesty's Government came into power they appointed a Commission to inquire into the subject of the Irish Church; and having taken that step, they naturally concluded that further action upon the matter must be postponed until the Report of that Commission was received. The right hon. Gentleman said that, if the Government had made no other mistake, they made one in their statement on the Motion of the hon. Member for Cork (Mr. Maguire); and that their Irish policy was such as left the Members of the Opposition no alternative but to raise their banner and propose a counter proposition. The right hon. Gentleman went through a catalogue of errors which he said the Government had committed upon that occasion; but he thought he should not be wrong if he assumed that, in the right hon. Gentleman's opinion, the head and front of their offending was their proposal to grant a charter to a Roman Catholic University. It was true that the question of granting a charter to a Roman Catholic University had been much discussed in the course of previous Sessions; that the late Government had taken a most unwise and unfortunate step with reference to this subject; and that the present Government did not think that granting a charter to a Roman Catholic University was a question raising such enormous issues as would prevent its decision by the existing Parliament. The difference between the treatment of this question by the present Government and the late Government was not one of which the former need be ashamed. The present Government proposed to do openly in the face of the country what they believed would be the best for the country, and what would bring the question at issue clearly before the House; while the course taken by the late Government was well known to the Committee, and therefore there was no need for him to refer to it more distinctly. Then the right hon. Gentleman went at enormous length into what he was pleased to term the unjust charge which was brought by the Secretary of State for the Home Department against the right hon. Gentleman the Member for South Lancashire, and illustrated his argument with most copious quotations from every kind of newspaper. The right hon. Gentleman misunderstood and misquoted his right hon. Friend from beginning to end. His right hon. Friend never said that the right hon. Member for South Lancashire was inconsistent in 1868, in consequence of the speech he made in 1865. What he did say was that after the speech of 1865, which had undoubtedly produced a certain effect in various quarters, the right hon. Gentleman, in order, as those who sat now on the Government Benches supposed, to mitigate the effect of that speech, wrote a certain letter, in which he stated, that in his opinion, the question of the Irish Church was so remote as really to be beyond the domain of practical politics. The right hon. Gentleman spent a long time in elaborating that simple statement, and in doing so used what was, no doubt, very cutting language, but those who took part in these fights in a free assembly must submit to have imputations thrown upon them which might be unjust, although couched in the most polished language. The right hon. Gentleman told them that a Government placed in a minority of 60 was bound to resign; but he would remind the right hon. Gentleman that the Government came into office, as was well understood, in a minority of 70. The right hon. Gentleman appeared to think that the course which he now so warmly espoused, but which was so remote during the years when he was the responsible Minister for Ireland, would be benefited by the present Government remaining in office. Time alone would show whether or not the right hon. Gentleman was correct in that supposition; but if the right hon. Gentleman thought that the Government had any other reason for remaining in office than because they believed that the Established Church of Ireland and of England and the union between Church and State would be better served by their remaining in office than by their retiring, he was most completely and entirely mistaken. When the Government were convinced that the cause of the Established Church would be benefited by their retirement from that Bench, the right hon. Gentleman need be under no apprehension that they would remain there a single instant. Passing from the observations of the right hon. Gentleman, which appeared to him to leave untouched the real question at issue, he would briefly touch upon the Resolutions brought forward by the right hon. Gentleman the Member for South Lancashire. In the first place, on what ground did the right hon. Gentleman ask the House to agree to his first Resolution; that ground was distinctly stated in the opening part of the Resolution? Did the Resolution say that it was "just," or that it was even "expedient" that the United Church in Ireland should cease to exist as an Establishment? No. The Resolutions said it was "necessary" that the Established Church should cease to exist as an Establishment. Necessary for what? Was it necessary for the continued progress of Ireland's material prosperity? No one could say that, in the face of the statement that had been made by his noble Friend with reference to the present condition of Ireland. Was it necessary for the suppression of a vile, hateful, and contemptible conspiracy? No; for it was well known that the ordinary forces of the country and the loyalty of the great mass of the Irish people had been sufficiently powerful to crush it completely. Was it necessary to produce a better feeling between the owners and the tillers of the soil? No; for it postponed indefinitely all legislation on that subject. The abolition of the Irish Church might, however, be necessary for one purpose, which had been pointed out by the right hon. and gallant Member for Huntingdon (General Peel) — namely, for the union and the consolidation of the scattered elements of the great Liberal party. In former times, when the great Continental Powers fell out, the inhabitants of the Low Countries or of the Milanese could pretty well calculate upon the battle being fought out on their fertile fields; and in this country during the last twenty or thirty years, when the great Liberal party fell out, Ireland had always been made the battle-field of contending parties. He was sorry to find that the right hon. Member for South Lancashire, in succeeding to the Leadership of the Liberal party, had, unfortunately for Ireland, also succeeded to its traditional policy. Was the prosperity, the peace, the tranquillity, and the real progress of Ireland to be "whistled down the wind" in order to give the great Liberal party a party triumph on the present occasion? One word as to the phraseology of this Resolution. They had heard from the mouth of Earl Russell, at a meeting held in St. James' Hall, that the Resolutions were strictly in accordance with those which were proposed by that noble Earl some years ago. On comparing the Resolutions of the noble Earl with those of the right hon. Gentleman it would be found that they differed in a very important particular; for, whereas the Resolutions which the noble Earl moved in 1835 proposed that the surplus revenue of the Established Church "in" Ireland should be devoted to such and such a purpose, the right hon. Gentleman's Resolutions proposed the disestablishment of the Established Church "of" Ireland. Why, in point of fact and of law, there was no such thing as the Established Church "of" Ireland. It was the Established Church of England and Ireland established in Ireland with which the right hon. Gentleman's Resolutions proposed to deal. He (Lord John Manners) submitted that it was not competent for the right hon. Gentleman to misdescribe and misrepresent one of the greatest and most sacred institutions of the country for the purpose of facilitating his attack upon it. It was quite obvious that had the right hon. Gentleman used the proper phrase the eyes of the people throughout the country would have been opened to the inevitable consequences which the carrying of these Resolutions would entail. But he would submit further that if the right hon. Gentleman was at liberty to disintegrate the Church of England and Ireland for the purpose of devouring them both the more easily, it was open to the Government to ask the Committee for the same freedom in her defence—

> "Si tibi Mustullon coquus, Æmiliane, vocatur,
> Dicatur quare non Taratalla mihi."

He would suggest that they should carry the disintegrating process one step further, and consider the question provincially. All the right hon. Gentleman's arguments apply to Leinster, Munster, or Connaught, none to Ulster. They were told that they must take this gigantic step — that they must reverse the history of the country and dissociate the Church from the State in order to gratify the wishes of the Irish people, but how would that principle apply to Ulster? He believed that in the division on the Motion for going into Committee on these Resolutions every single Member from Ulster voted in the minority against the right hon. Gentleman. Well, were the feelings of the people of Ulster as exemplified by their representatives to count for nothing? What were the facts as regarded Ulster? What was the case as to the glebe lands of that province? How had they come into the possession of the Established Church? Everyone knew that they had not come from Roman Catholic sources. They came to the Church at the time of the plantation of Ulster, and he ventured to say that no corporate or private proprietors of property in Ulster held their estates on a better title than that on which the Church held its glebe lands there. He ventured to say also that no corporate or private landlords had more properly fulfilled and discharged their obligations than the obligations attached to the glebe lands of Ulster had been fulfilled and discharged by the clergy of the Established Church. He asked the Committee for a moment to consider the two propositions of the right hon. Gentleman. It had been well said the first Resolution embodied the principles both of disestablishment and disendowment. As regarded the first part of the Resolution, it involved the greatest and gravest revolutionary change ever proposed in this country since the Church and State were united. He did not except even the Revolution in the time of Charles I., for though at that period the prelacy, the peerage, and the monarchy were swept away, the sacred character of Church property was respected. He believed that the first and last statutory sanction given to church rates was during the Commonwealth. They all remembered that in 1862 there was a celebration of the anniversary of the remarkable exodus of the Dissenting ministers at the time of the Restoration, when they yielded up their livings which had been preserved at the Rebellion, to their Episcopal successors. He said, therefore, that the present was the first attempt to separate the Church from the State. On what ground was the attempt made? He could not see that the arguments in its favour could be legitimately or logically confined to Ireland. They had had two main arguments addressed to them by the right hon. Gentleman the Member for South Lancashire. One was an argument of consolation addressed to the Irish Church; the other was an argument to justify the scheme of spoliation. The argument of consolation was this: he said the Irish Church would still retain three-fifths of its property. How the right hon. Gentleman had arrived at that conclusion he had not exactly explained; and he believed that the estimate was one which still puzzled some of the right hon. Gentleman's own followers. He had further said that when disestablished the Irish Church would have greater liberty—it would be dictated to by no Ministry; it would be able to do what it pleased; and then what a career of power and glory and utility would be open to it! There was nothing in that argument which might not, and probably would not, be applied to the Church in England. The more powerful the Church, clearly the more powerful would be that argument. In a few years hence the right hon. Gentleman would be able to say to the Church of England—"You will have three-fourths of your property when you are disestablished. We shall not interfere with the appointment of your Bishops. Unfettered by Ministers or Monarchs you may appoint to the archiepiscopal thrones of Canterbury and York, and what a career of utility, moral influence, and ecclesiastical power is there not open to you!" Then came another argument which the right hon. Gentleman seemed to rely very strongly on, but which, he (Lord John Manners) ventured to think, would lead to a policy of a very violent and extreme character. He said that for the practical inutility of the Irish Church up to within the last thirty years he did not hold that Church responsible, because the State had so treated it as not to allow it to act on its own responsibility; but that for its failure as a missionary Church during the last thirty years it was responsible, and he would judge it on that experience. Now, in his opinion, to judge a Church which had existed for centuries on an experience of thirty years was a hasty mode of judging. But taking the last thirty years, he would ask had there been no ecclesiastical events of a startling character in Scotland and England during that period which would bring the Established Churches in those countries within the same rule as that which it was sought to apply to the Established Church in Ireland? The last thirty years had witnessed the secession of great masses of the people of Scotland from the Established Church; and he could see nothing in the present condition or past history of that Church which could save it from the application of the rule which the right hon. Gentleman was endeavouring to apply in the case of the Church of Ireland. Again, on what ground was it that the Bishop of London, a few years ago, called on the people of this metropolis to make a great special effort? It was on the ground that of the 3,000,000 inhabitants of this metropolis great masses were alienated from the Established Church. Tested by the principle of thirty years' experience, he wanted to know how the Established Church of England was to be preserved, supposing a Church was not to remain Established if it did not number in its members a majority of the people? The principle appeared to him to have a common application to all Establishments if it were to be admitted in the case of the Irish Church; and he felt no doubt that if the Resolutions of the right hon. Gentleman were agreed to by this Parliament and ratified by the next, a demand for the disestablishment of the Churches of Scotland and England must and would follow as a necessary consequence. He now came to the second part of the Resolution before the Committee—that dealing with disendowment. He submitted that it was the duty of the right hon. Gentleman to state what he contemplated doing with the endowments of the Church which he proposed to disendow. Upon that point the House had nothing but a negative assurance. The right hon. Gentleman told them that those endowments should not be devoted to the service of the Almighty God, according to the rites and forms of the Established Church. That was a purely negative proposition. If there had been anything more positive it had been from the hon. Member for Birmingham, who had said that those endowments must be devoted to some purely Irish purposes. "Irish purposes" was, he thought, a rather vague phrase. He thought the House of Commons might press the point and ask what "Irish purposes" might mean. A gentleman who had recently been described as a great and good man, and who, though not in the House now, was still the Leader of the party who were attacking Establishments, stated on one occasion that he would devote the endowments of the Irish Established Church to lighthouses and lunatic asylums. If the representatives of

Ireland were prepared to make that use of endowments intended for religious purposes, he thought they would merit the reproach which 150 years ago a great humourist, Dean Swift, conveyed in an epitaph which by anticipation he wrote for himself—

> "He left what little wealth he had,
> To found a house for fools and mad;
> To show by one satiric touch
> No nation needed it so much."

After the Church had been disestablished and disendowed, could anyone hope that the other great questions which had been referred to more than once in the course of this debate would not be brought prominently forward? The hon. and learned Member for Sligo (Mr. Serjeant Armstrong) said the other night that he regarded the success of this movement much more in the hope of its enabling the land question to be dealt with in a manner satisfactory to the Tenant Right League than on account of the particular results it would bring about, and that evening the hon. Member for the King's County (Sir Patrick O'Brien) had asserted that this was not really the question on which the Irish people had set their hearts. Who, then, could doubt, when this question was removed out of the way and these great international and solemn legislative Acts trampled under foot, that prescription would be shaken and all confidence in property destroyed? Who could doubt that the tenure of land would be attacked with more vigour and success than had been before displayed, and that, as he feared, Ireland would be reduced to a country inhabited by cottiers, and not governed by those who had hitherto directed the affairs of that kingdom? But before we arrived at so lamentable a state of things there was one barrier to be surmounted, and that barrier was one which he trusted would be found insurmountable. The right hon. Gentleman who preceded him had dwelt much on the issue to be decided at the next Election. Now, that issue, in his humble opinion, was not only the particular proposition contained in the present Resolution; but also the great question of the maintenance of the relations between the Church and the State. That was the issue which, in consequence of the action of the Liberal party, would have to be submitted to the new constituencies at the General Election. On that issue the Government would most cheerfully meet the right hon. Gentleman the Member for South Lancashire and those who acted with him; on that issue he believed the people of this country would give an unmistakable verdict. That verdict he believed would be in favour of maintaining the immemorial relations between the Church and the State; and should he be so fortunate as to obtain a seat in the new Parliament his voice would be raised, as it always had been, and his vote given in favour of maintaining the relations between the Church and the State in this free, this Christian, and this Imperial land.

Colonel BARTTELOT moved that the Chairman do report Progress.

Mr. GLADSTONE: I am sorry we are not in a position to close the debate on this Resolution to-night; because the subject, though undoubtedly one of very great importance, has been discussed in two debates, lasting four nights each, which we have gone through in the present Session. As far as hon. Gentlemen on this side of the House are concerned, I am extremely anxious that this question, important as it is, should not be in conflict more than can be avoided with the general progress of business. If, however, it be the decided wish of Gentlemen on the other side of the House to continue the debate to-morrow, I hope we shall at least arrive at an understanding that it shall not be prolonged beyond then.

Mr. DISRAELI: In reply to the right hon. Gentleman, I wish to remark that this is a subject the importance of which really cannot be described in language which could be accused of exaggeration. It is, indeed, a far more important question than that which has been adverted to so liberally in the course of this debate — the great measure of Reform which we passed last year. And we attach greater importance to this first Resolution than we do even to the second or third. They may involve questions of constitutional and even legal difficulty, but, comparatively speaking, they are Resolutions of detail. This really announces and describes a policy. The preliminary discussion referred merely to the question of going into Committee, and the opinion of the Committee has not been given on this Resolution. ["Oh, oh!" *and* "Hear, hear!"] That is our opinion, and I would remark—for I think it best to be candid on these questions—that there is on this side of the House a great desire that this Resolution should be distinctly and definitely discussed. Everybody must feel that this is a question which must have ultimately very serious consequences, and it cannot be considered unreasonable that hon. Gentlemen should wish to have an opportunity of expressing their opinions on this matter. Therefore I could not under any circumstances enter into an engagement that the discussion should close to-morrow night. I wish to convey to the right hon. Gentleman that we consider this first Resolution of greater importance than he gives us credit for, and he must not suppose from anything I have said that we think this Resolution trifling as compared with the others. On the contrary, we regard this as really the first occasion on which the opinion of the Committee can be taken concerning the new policy which has now been introduced to the notice of the Empire, and it is on this Resolution that Gentlemen on both sides of the House — certainly on this side—desire to have their opinions distinctly placed before the country.

Mr. AYRTON said, that the right hon. Gentleman could not, of course, engage to bring the discussion to a close to-morrow night; but he wished to impress on the right hon. Gentleman the necessity of exercising all his influence in order to bring the debate to a termination as early as possible. There were many other important questions for consideration, and he would remind the right hon. Gentleman that, as far as the principles of these Resolutions were concerned, they had, in fact, been debated for a great many nights. All sections of the House had stated their views on the subject, and the House had by an overwhelming majority pronounced their opinions upon it. ["No!"] Was it likely that that side of the House, having expressed its opinion by so large a majority, would recede from the position it had taken up? And if it would not, what would be the effect of the Government opposing these Resolutions night after night? They would be persisting in a hopeless resistance to the determination which must ultimately be arrived at, and the delay would be most disastrous to the conduct of the business of the House. It was impossible not to foresee that the position of unofficial Members of the House would be one of the greatest embarrassment. After the lapse of some time all the public questions which had hitherto been kept in abeyance would be hurried on with, and the House would have no opportunity of properly discussing them. In conclusion, he urged the right hon. Gentleman to lend all his influence for the purpose of bringing the debate to a close as soon as possible.

Mr. DISRAELI: In reply to the remarks of the hon. and learned Gentleman the Member for the Tower Hamlets, I must say I think it necessary that the House should have a very distinct idea of the position in which it is placed. We are arriving, no doubt, at a very critical point. The policy of the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) is one which—as all must agree—involves very great changes, and in the opinion of Her Majesty's Government it might lead to very serious consequences. Under such circumstances, it is extremely desirable that the opinion of this House should be taken in a manner which cannot lead to misconception. It has not yet been taken in that manner. Speaking in the interest of hon. Members on both sides, it is desirable that when those consequences are felt by the country, at least it shall not be in the power of Gentlemen to put various interpretations upon the motives and views with which they arrive at their vote. Now the vote before the holidays was not of that clear and unambiguous character. ["Oh, oh!"] Hon. Gentlemen opposite seem to agree with me as to the propriety of there being no ambiguity in their vote, but if they were satisfied with such a solution as was arrived at before the holidays, all I can say is, that I cannot agree with them. We wish to have a distinct issue raised on this important policy of the right hon. Gentleman respecting the disestablishment of the Church. We wish to have a distinct issue taken in the House on that subject. Such an issue has not yet been taken, and we look on this first Resolution as one of the greatest importance, and many hon. Gentlemen have intimated to me their desire to express their opinions upon it. If they can do so conveniently in the course of to-morrow evening, I shall not oppose the division. I never yet attempted to protract or prolong a debate unnecessarily; but I rose in order that I might not be misinterpreted as having entered into any agreement that the debate should finish to-morrow night. I have already explained the reason why we attribute to this Resolution so paramount an importance.

Mr. AYRTON said, he thought his right hon. Friend's Motion had really disposed of the question; because it was not the ordinary Motion that the House should resolve itself into Committee on a distant day to consider Resolutions, but a Motion that the House should forthwith go into Committee for the purpose of considering certain Resolutions of which notice had been given. In the present instance there had been a clear affirmation of the principles contained in the Resolutions, and the House had in the most deliberate manner recorded its vote by an overwhelming majority in favour of them.

Mr. WHITBREAD said, that from the answer of the right hon. Gentleman at the head of the Government, it appeared to him not only that he would give the House no assurance that the debate would close to-morrow night, but that he had given them an assurance that it would not close to-morrow night. The position of affairs appeared to him to be this—and he spoke as one interested, not only in this Resolution, but in the general conduct of the affairs of that House—that there was a Government in office which, as far as he could understand, had made up their minds, whatever the decision of the House might be upon this subject, to treat it merely as the decision of the majority, and then to proceed to business. Let the House bear in mind that the second and third Resolutions had hardly yet been touched in argument, and there were several very important measures besides these Resolutions to come before them. There was the Reform Bill for Scotland, the Reform Bill for Ireland, and also the Bill for the prevention of Bribery and Corruption, and how was time to be had for discussing these important measures? Those who had spoken to-night had not advanced much new argument; and if they went on in this way there was no human probability of their being able to overtake the other important business of the Session. Unless the Government imported some novelty into the discussion to-morrow, it would be within the competency of the House to decide that the debate should not be further protracted; and he thought that it ought not to be spun out unless there were some argument to be adduced, by which hon. Members could hope to change the opinion which was deliberately arrived at before the Easter Recess.

Mr. NEWDEGATE said, he had not been fortunate enough to catch the Speaker's eye in the former debate, and he was not disposed to allow an Establishment which had lasted 300 years to be swept away, with as little ceremony as if the question were one of a turnpike trust, without stating his opinions on the subject. There were many points connected with the first Resolution which had not yet been touched upon, and the two following Resolutions had not been discussed at all; he was, therefore, glad that the Prime Minister of the Crown would be no party to prevent hon. Members from expressing their opinions, which were a great deal wider and deeper than many Gentlemen opposite appeared to suppose. If there had been any delay in proceeding with the Public Business, on whom did the blame rest? There were not a few, he suspected, on the other side who had no great desire to see the Reform measures completed. And he did not think it would be decent to pass Resolutions with the haste of the last division. The right hon. Gentleman had only given a week's notice of his Resolutions before he asked the House to go into Committee, and no time had been afforded for hon. Members to consult their constituents. Since he had had a seat in the House he had never known a measure of such magnitude brought forward in such haste and discussed so summarily, he would not say so superficially.

Sir GEORGE BOWYER said, that there was a growing tendency in some quarters to "job" debates and check the freedom of discussion in that House by making arrangements that certain persons were to address the House as they pleased, while less eminent Members had no opportunity of stating their opinions. It was not right that A and B, and perhaps Z, should address the House, and that then it should be arranged that the debate should close. The consequence of the system was that the same persons addressed the House on every subject, and no fresh ideas were presented, because no one, not in a certain category, had any chance to be heard; and he knew an instance of a Member who was told that if he wished to address the House, he had better apply to the Whips. He thought things were come to a strange state, when a Member could not address the House without asking permission of the Whips. He protested against Members being thus silenced or gagged. It was time for the House to take this into consideration, for otherwise the freedom of debate would be practically at an end. When great questions were brought before the House, it was not to be expected that Independent Members should remain silent. The system of terminating debates by arrangement between the Whips ought to be brought within very narrow limits. The right hon. Gentleman had brought forward Resolutions which ought to be discussed fully, and he thought every Member should have an opportunity of expressing his opinion on this important subject. They might still find time to discuss the other important measures of the Session.

**Mr. NEVILLE-GRENVILLE** said, he was one of the humble Members coming under the letter "Z" who had failed to catch the eye of the Chairman. As the representative of an important constituency he thought that their views on this important and solemn subject should be allowed to find expression. He agreed with the hon. Baronet the Member for Dundalk (Sir George Bowyer). If he had the good luck to address the House as often as the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) he should not complain.

**Mr. GLADSTONE**: The hon. Member for Dundalk (Sir George Bowyer) a little misapprehends the nature of these understandings which appear so formidable. He treats them as conspiracies against the liberty of private Members. They cannot very well be that, when they are made in public, and they simply amount to this: they are appeals to the general sentiment of Members of the House, upon the general expediency and convenience of the case, to judge when they think a question has been sufficiently discussed. It is a mistake to suppose that any understandings of this kind can interfere with the liberty of hon. Members. But I think it would be idle to spend this evening in discussing whether we will close the debate tomorrow night. If the right hon. Gentleman says he can enter into no engagement, I must point out that a sentiment has prevailed on this side of the House that there has been a singular languor, though not in the latter part, yet in a large portion of the debate this evening; and we on this side of the House must reserve our own liberty to judge and act for the best to-morrow night. And especially if we observe a like languor to-morrow, it is possible that we may come to the conclusion that it will be for the general convenience that the debate should be closed. But that cannot be carried even by a slight preponderance of opinion; it must be by a general reference to the sense and convenience of the House.

**Sir JOHN HAY** said, that no Member for Scotland had yet spoken on the subject. Having spent part of the Easter holidays among his friends in that country, he could say they had very strong feelings against any proposition tending to overthrow the Protestant Establishments of the country. They were determined that they would neither be the slaves of a dominant superstition nor the subjects of an infidel State.

**Mr. WHALLEY** said, he regretted that he had not been able to catch the Speaker's eye, as he had wished to elicit some explanations from the right hon. Member for South Lancashire (Mr. Gladstone) with whom he had voted in the late division. In the previous debate he had asked the right hon. Member for South Lancashire (Mr. Gladstone) to explain what course he intended to adopt with regard to certain details of the question before the House, and the right hon. Gentleman promised to give him an explanation, but failed to do so. Under these circumstances, he desired an opportunity of pointing out the grounds on which he voted on the last occasion, as well as those which might reasonably justify the right hon. Gentleman at the head of the Government in retaining his seat on the Treasury Bench rather than hand over the Government to the right hon. Member for South Lancashire.

**Sir GEORGE BOWYER** explained, that he had not said that there was any conspiracy in the matter. But what he would say was, that a programme was made of those who were to speak, and he had even heard of the case of one hon. Member anxious to address the House who was told that he ought to go to the Whip on his side and ask his permission to speak. When that was the case he thought it was time to change the system, and for the House to consider seriously whether they ought not to retain the liberty of debate.

House *resumed*.

Committee report Progress, to sit again *To-morrow*.

### MILITARY AT ELECTIONS (IRELAND) BILL.

On Motion of Mr. Serjeant Barry, Bill to extend to Ireland the existing Law of Great Britain respecting the presence of Military at Parliamentary Elections, *ordered* to be brought in by Mr. Serjeant Barry, Major Gavin, and Mr. Esmonde.

Bill *presented*, and read the first time. [Bill 95.]

### COTTON STATISTICS BILL.

On Motion of Mr. Bazley, Bill for the collection and publication of Cotton Statistics, *ordered* to be brought in by Mr. Bazley, Mr. Milner Gibson, Mr. Horsfall, Mr. Watkin, and Mr. Cheetham.

Bill *presented*, and read the first time. [Bill 96.]

### DOCUMENTARY EVIDENCE BILL.

On Motion of Sir James Fergusson, Bill to amend the Law relating to Documentary Evidence in certain cases, *ordered* to be brought in by Sir James Fergusson and Mr. Secretary Gathorne Hardy.

Bill *presented*, and read the first time. [Bill 97.]

House adjourned at One o'clock.

## HOUSE OF LORDS,

*Tuesday, April* 28, 1868.

MINUTES.]—Public Bills—*Second Reading*—Local Government Supplemental (1868)* (70).

*Committee*—Partition * (116); Prisons (Compensation to Officers) * (72).

*Report*—Partition * (116); Prisons (Compensation to Officers) * (72).

*Third Reading*—Promissory Oaths * (52).

### REGULATION OF RAILWAYS BILL—THE PARCELS CLAUSE.—QUESTION.

Viscount **HALIFAX** wished to ask a Question of the noble Duke the President of the Board of Trade with reference to the 15th clause, commonly called the Parcels Clause, of the Regulation of Railways Bill. It appeared that the intentions of the noble Duke in inserting this clause had been very much misunderstood, and several petitions had been presented against it. The matter had been fully explained in "another place;" but probably it would be more satisfactory if the noble Duke would state, Whether or not his views in inserting this clause were correctly understood out-of-doors?

The Duke of **RICHMOND** said, that out of doors the Parcels Clause in the Railway Bill was entirely misunderstood, as it had never been the intention of the Government to deal with the question in the manner the public supposed. He had that day received a large deputation of traders on the subject. He proposed to revise the clause, and to amend some other clauses. For that purpose he would recommit the Bill, in order that the Amendments might be printed and the matter placed distinctly before the public, so that there could be no misunderstanding.

### ESTABLISHED CHURCH (IRELAND)—THE RESOLUTIONS.—QUESTION.

The Earl of **DERBY**, who had given notice to put a Question in reference to certain proposed Resolutions regarding the Church in Ireland, said: My Lords, I have, in the first place, to apologize to your Lordships for having, I am afraid, kept you waiting some few minutes; but the truth is, as several Orders of the Day stood before the Motion of which I had given notice, I thought they would occupy some considerable time. My Lords, I am quite aware that if I were to attempt to enter upon any discussion of the Resolutions which are at the present moment under the consideration of the House of Commons, I should violate the spirit if not the letter of the Orders of your Lordships' House. But I believe I am perfectly in order in referring to the matter of fact which appears on the Journals and Votes of the other House of Parliament, that, immediately before the Easter Recess, a very important Motion was made by a most eminent Member of the House of Commons, and was acceded to by that House by a large majority. That Motion was that the House should go into Committee for the purpose of considering three Resolutions most deeply affecting that branch of the Established Church that exists in Ireland. My Lords, the first of those Resolutions purports to declare the expediency of altogether disestablishing that Church, and separating the State altogether in that country from any connection with its religious institutions or with the religious education of the people, and relying altogether upon the voluntary principle. The second Resolution proceeds to say that, in order to further the object in view, it is expedient—I am not quoting the words of the Resolutions, but stating their substance — it is expedient that no new ecclesiastical appointments should be made; and the third suggests an Address to the Crown praying that the patronage of the Queen in regard to ecclesiastical dignities should be transferred to the control of Parliament. [Earl Russell: Should be placed at the disposal of Parliament.] Well, that the rights of the Crown in regard to all ecclesiastical dignities and appointments should be placed at the disposal of Parliament. These, my Lords, are the three Resolutions of which notice was given in the House of Commons; and I suppose I am not assuming too much—I am afraid I am not assuming too much —when I say that there is every probability that the first Resolution will be sanctioned by the House by a majority something like that by which the Motion for the Committee was carried. I suppose I may also take for granted that that Motion, though made by a very eminent Member of the House, was not made on his own authority alone, and without communication with those who act politically in connection with him. Further, I suppose I must assume that the eminent persons who have determined, somewhat unexpectedly, on that course of proceeding, have not done so without making up their own minds as to the course they will take in the event of the success of their Motion; and it is as to those farther proceedings that I propose to put the Question of which I have given notice to the noble Earl my predecessor in office. Had the Question been put before the Recess, I should probably have addressed it to the noble Earl the late President of the Council (Earl Granville), or to the noble Duke (the Duke of Argyll), inasmuch as I understand that both those noble Lords were present at the private meeting at which the Resolutions were arranged. [Earl GRANVILLE was understood to dissent.] I shall be much obliged to the noble Earl to correct me if I am wrong; but, perhaps, I may relieve him of the responsibility of answering the inquiry by transferring or making it over to the noble Earl (Earl Russell) opposite; because, since the Recess that noble Earl has put himself very prominently forward at public meetings as a supporter of those Resolutions, and avowed his adherence to the principle they involve. I assume, therefore, that the noble Earl does adhere to that last phase of his opinions in reference to the Church in Ireland, although it is at least a fortnight old; but the alterations which have taken place in his views within the last few years have certainly been somewhat extraordinary, and I am sure he will forgive me for recalling to his memory what those alterations have been. In 1866, the noble Earl was charged with the responsibilities of Office, and upon the occasion of a Motion made by the noble Earl who sits on the cross Bench (Earl Grey) for inquiry into the state of the temporalities of the Irish Church, he opposed the Motion, stating that all manner of evil consequences must be the result, and he succeeded in defeating the Motion of the noble Earl. In 1867, the noble Earl was free from the responsibilities of Office, and in that year the Motion which the noble Earl on the cross Benches had brought forward the year before, and was resisted by the noble Earl—the same Motion was made by the noble Earl himself. It met with no opposition, and a Commission was appointed. In the commencement of 1867, the noble Earl—having moved for this Commission of Inquiry into the state of the temporalities of the Irish Church as a necessary preliminary to any further proceedings—thought it expedient, before the termination of that Commission, for which he was not content to wait, to move an expression of opinion in their Lordships' House that the incomes at present enjoyed by the Protestant Church of Ireland should be distributed in certain proportions, according to a rule of three, which he had himself framed, among the different denominations in Ireland. That was the third change in the views upon this question of the noble Earl since he filled the office of the First Lord of the Treasury. In two or three months there came a fourth change over the mind of the noble Earl, who then declared that he was quite ready to adopt the views of the right hon. Gentleman who had brought forward these Resolutions in the House of Commons, though the noble Earl confessed that he had a slight preference for the mode of proceeding he had himself suggested. Now, I ask your Lordships to consider what was the question in reference to which the noble Earl had a slight preference for his own mode of proceeding, but was ready to waive it? It was neither more nor less than one of the most important questions which could occupy the attention of a statesman—namely, whether the State should or should not connect itself with an arrangement for making a religious provision for the people. Well, on that subject the noble Earl stated that his own opinion was in favour of making a provision for all religions; that he had a slight preference for that mode of proceeding; but, that as his Friends near him were of opinion that the State provision should be withdrawn from the Established Church in Ireland, he was ready to waive his own preference, and after having published his opinion that it was expedient that the State should support all religions, he was ready to acquiesce in the proposition that the State should support no religion at all. I must say that these changes of opinion are somewhat remarkable and sudden, especially on the part of the noble Earl; for, before his fourth evolution, he informed this House that a change of opinion and conduct on the part of a Minister on any great question was quite sufficient to cause him to forfeit any claim he might have on the confidence of Parliament and the country. I must now assume that the noble Earl adheres to the last views he expressed; or that, if he has not made up his mind, his opinion has been made up for him, and that he is quite prepared to go in for the entire and total disendowment and disestablishment of the Protestant Church in Ireland. The question I desire to put to the noble Earl has reference to the future course of proceeding on this question. I wish to know whether in the event—I am afraid the probable event—of the House of Commons affirming the principle, at least, of the Resolutions brought forward by the right hon. Gentleman the Member for South Lancashire, it is the intention of the noble Earl, and those who act with him, to refer the Resolutions to your Lordships' House, and to ask how far your Lordships are prepared to concur in that line of policy? Last year the noble Earl on the cross Benches (Earl Grey), when it was proposed to proceed by Resolution on the subject of Reform, argued with great force on the propriety of the concurrence of your Lordships' House in the Resolutions being applied for before the introduction of the Bill, in order that it might be ascertained how far the two Houses were in accord on the main and important principles. The plan of proceeding by way of Resolution was, however, dropped, and therefore there was no occasion for the suggestion of the noble Earl to be acted upon; but if it was thought desirable that such a suggestion should be acted on at a time when it was evident that, immediately on the adoption of the Resolutions, a Bill would be brought in and submitted to the consideration of Parliament, such a course of proceeding is doubly important, when there is a doubt whether it is proposed that any Bill founded on the Resolutions in the present case is about to be brought up to your Lordships' House, and whether your Lordships will have any means afforded you of expressing your opinion on the Resolutions, without which concurrence of your Lordships the Resolutions will be a mere dead letter. Therefore I wish to know, whether it is the intention of those who promote these Resolutions to ask, previous to taking any further stage, the concurrence of your Lordships' House in them, and to ascertain what views your Lordships take with respect to the extraordinary and unexpected measure for disestablishing the Irish Church. Then, my Lords, in reference to another point, I have to observe that a speech was reported to have been recently delivered at a public meeting by the noble Earl (Earl Russell), and in order not to misrepresent his sentiments, I shall read from the report in *The Times* newspaper a few passages, to which I call his attention. The noble Earl is reported to have said—

> "I must say a few words on the very important third Resolution proposed by Mr. Gladstone. That Resolution asks the Crown to place at the disposal of Parliament Her Majesty's interest in the ecclesiastical dignities and benefices in Ireland. Now, that is in conformity with the advice which, a great many years ago, I gave to King William IV., and which His Majesty was pleased to accept, although, as I had to contend with Sir Robert Peel, Lord Derby, and Sir James Graham, I did not succeed, and was beaten in that encounter. I trust, however, that Mr. Gladstone will be more fortunate; that the advisers of the Crown will—as I suppose they will—advise Her Majesty to do what William IV. did, and that disestablishment and disendowment will take place."

It is now very long since the period to which the noble Earl referred: but I apprehend that he must have alluded to what occurred in 1835. It certainly is rather curious to see how history repeats itself, and how a circumstance which had almost dropped into oblivion re-appears again almost in the same form. My Lords, the noble Earl and I are, I am sorry to say, the only survivors, with the exception of Lord Brougham, of those who took an active part in the debates of that period. Now, I will venture to state what really did occur on the occasion referred to, and then your Lordships will see how erroneous is the noble Earl's statement. It is rather singular that a few months before the Motion referred to by the noble Earl was made in the House of Commons, the previous Government had been summarily dismissed from Office; and the consequence was that Sir Robert Peel was called on to undertake the formation of an Administration, his party being at that time in an avowed minority in the House of Commons. The first thing which Sir Robert Peel did was to dissolve the Parliament, so that he might meet a Parliament elected under his own auspices, and afterwards—there having been a Commission then, as now, to inquire into the temporalities of the Irish Church—the noble Earl (then Lord John Russell) thought it necessary to call upon the House to support an abstract Resolution, then, as now, to the effect that any surplus that might appear to exist after providing for all the requirements of the Irish Church should be appropriated to the purposes of general education. The noble Earl proposed a further Resolution, to the effect that no plan for the settlement of the tithe question would be satisfactory which did not involve such an appropriation. The noble Earl, on that occasion, not only gave notice of these two Resolutions, but he also moved an Address to the Crown, praying the Sovereign that he would be pleased to place at the disposal of Parliament his interest in the ecclesiastical revenues of Ireland. My Lords, it is not correct to say that on that occasion he was defeated by the opposition of Sir Robert Peel, Sir James Graham, and myself. We opposed them, and the noble Earl obtained a considerable majority. The last Resolution, which Sir Robert Peel said he would resist to the utmost, the noble Earl had not the opportunity of pressing to a division, because the result was the resignation of Sir Robert Peel, and the noble Earl acceded to power. Now, whatever may be the determination on the subject by the present House of Commons, which has only a few months to live, and which was not elected under the auspices of the right hon. Gentleman now at the head of the Government, I trust that he and my noble and right hon. Friends who are Members of his Government, are too well aware of the importance of this question, and of the duty they owe their Sovereign, to think of resigning their offices under any amount of pressure or opposition, however factious, if any such should be offered, until they have had a full opportunity, if not of perfecting the measures for the Reform of Parliament, at all events of testing the sense and feeling, not of the existing constituency, but of the larger constituency created by the Reform Bill of last year. Therefore, I hope that the parallel of 1835 will not hold good at the present time. The noble Earl (Earl Russell) succeeded to Office; and he says that, as a Minister of the Crown, he gave the advice to his Sovereign to take the same course as that now proposed to be pursued. But the advice he gave to the Sovereign was, not to take the course proposed in the Resolutions now before the House of Commons, but to sanction the introduction of a Bill which, if carried into an Act of Parliament, would have had the effect of restraining the Prerogative of the Crown. It is impossible that two questions can be more distinct. One is whether, upon advice given by constitutional Ministers and sanctioned by a constitutional Monarch, you shall permit the discussion of a question in the two Houses of Parliament, by which, in the case of an Act of Parliament being passed, the Prerogative of the Crown would be temporarily sacrificed and suspended; and the other is the question whether, upon the Address of one House alone, the Crown is to abandon the exercise of those Prerogatives and those duties which are imposed upon the Crown, not by a Resolution of one House, but by Acts of Parliament which Her Majesty, as a constitutional Sovereign, is bound to obey. There is an entire and absolute distinction between the two questions. I admit the noble Earl is quite prepared to show that in 1835 he took the same course he recommends Mr. Gladstone to take in 1868; but he will excuse me saying that that is only a reference from Earl Russell in 1868 to Lord John Russell in 1835, and it does not add any authority to the proposal. I contend it is no precedent at all. What you asked the King, through his responsible Ministers, to do, was to permit the discussion of an Act of Parliament the effect of which, if carried, would be to limit the Prerogative of the Crown. I do not know what language was used in signifying—which, after all, is a formality—the assent of the Crown in Parliament; but this, I know, that when Lord Melbourne moved the second reading of the Bill which the noble Earl introduced in the other House, and in which he was successful in introducing as a *sine quâ non*—the settlement of the tithe question—the language of Lord Melbourne was, that in moving the second reading of the Bill, he was authorized to signify the consent of the Crown to the suspension of the Prerogative of the Crown for the purposes of that Act. But the proposal was not fully adopted. After that Act was passed, what became of the sacrifice of the Prerogative of the Crown? The Crown, in the present instance, is asked—not to sacrifice, not to consent to the suspension of Prerogative, for the purpose of an Act of Parliament, upon the recommendation of the constitutional and responsible Advisers of the Crown—but it is asked indefinitely to suspend the exercise of duties which, by Acts of Parliament and the Coronation Oath, it is bound to exercise, until at some period, and in case at some period Parliament should think fit to legislate in the sense of the Resolutions. I am not about to discuss on their merits the Resolutions now before the House of Commons; the proper time for discussing them will be when they come—if they ever shall come—before your Lordships' House either as Resolutions or in the shape of a legislative enactment, to which your concurrence is requested, and without which these Resolutions are waste paper. I am not, therefore, discussing the merits of the Resolutions, but I am showing the noble Earl that he was—no doubt unintentionally — in error when he stated that the course now to be pursued was that he had recommended to William IV. I venture to think that William IV. could not, and her present Majesty cannot, accept and act upon a Resolution of the House of Commons calling upon Her Majesty to suspend the operation of Acts of Parliament; and I say again there is a broad constitutional difference between the course proposed in 1835 and the course sought to be pursued now. The one was the legitimate advice of Ministers to the Crown to permit the passing of an Act of Parliament; the other is the advice of the House of Commons to the Crown, to act upon a Resolution of that House, not only without, but in defiance of the authority of Acts of Parliament. While I seek to draw this distinction, I should not have taken notice of it at all, if it had not been broadly and pointedly stated by the noble Earl that the course which he advised and to which William IV. assented in 1835 was identical with the course now proposed, and to which Her Majesty is asked to assent. The noble Earl concluded by expressing the hope that Mr. Gladstone would be more successful than he was. The noble Earl was so far successful upon the occasion alluded to that he ousted Sir Robert Peel from Office; and having done so he gave effect to his own principles by the introduction of a Bill. That Bill, so far from being defeated by Sir Robert Peel, Sir James Graham, and myself, actually passed through the House of Commons, and was sent up to the House of Lords. Here a Motion was made to separate that portion of the Bill which related to the settlement of the tithe question, which was not objectionable, from that portion to which great constitutional objection was felt—namely, the principle of disestablishing the Established Church in Ireland. That Motion—that is, the omission of the Appropriation Clause—was carried by a majority of 96. The noble Earl, however, continued in Office; and, in the following year, he had the satisfaction of settling the tithe question, or what remained of it to be settled; and those who were opposed to the noble Earl had the satisfaction of knowing that they had defeated the principle against which they contended in the year before. The noble Earl had the satisfaction of retaining Office, and those who opposed him had the satisfaction of putting a stop for thirty-three years to all agitation on the subject of a change which the noble Earl had declared to be indispensably necessary. I hope Mr. Gladstone will not attain even the measure of success which the noble Earl attained on that occasion. Sir Robert Peel challenged the noble Earl when he was in Office to bring forward a Bill; and the answer of the noble Earl was—"I cannot bring forward a Bill; I must move Resolutions; I am not authorized to signify the consent of the Crown, and without it, signified by her responsible advisers, such a Bill cannot be introduced." I remind the noble Earl of that position. He says he hopes Her Majesty's present Ministers will give their consent, as the noble Earl did, to the measure which he recommended to William IV. I venture to express my hope that Her Majesty's Government will do no such thing; and that they will not facilitate the introduction, during the short space of time which this Parliament has to last, of a measure which, in my judgment, will, instead of producing peace and satisfaction in Ireland, stimulate to the utmost religious rancour and animosity.

Earl GRANVILLE: I beg the noble Earl's pardon, but I understood him to say that he would not discuss the merits of the Resolutions.

The Earl of DERBY: I am not discussing the merits of the Resolutions; I am discussing a proposition connected with them—I mean the effect which would be produced if these Resolutions were carried in the other House, and if a new Government were formed and endeavoured to force forward a measure founded on them —the effect of which would be to produce discord and religious animosity instead of peace; and the passing of them will involve the introduction of a measure upon which the two Houses of Parliament will be irreconcilably at variance. Any person aspiring to hold the high office of Prime

Minister should hesitate before introducing into Parliament a measure fraught with such dangerous consequences. I have thought it right to point out in what way I think the noble Earl's statement is incorrect in regard to what occurred in 1835 as compared with what is occurring now. One similarity occurs to me now, and it is that, in 1835, the noble Earl was asked the same question I am now about to put to him, whether it is intended to move the Resolutions in the House of Lords. Probably the noble Earl will give the same answer that he gave in 1835—that it was not the intention of the Opposition to the then Government to test the opinion of the House of Lords by submitting the Resolutions to them for their concurrence or disapproval. I have thought it my duty to state clearly where we think the noble Earl is in error in comparing the circumstances of 1835 with the circumstances of 1868 as to the course of procedure; and to point out that it would be contrary to the usages of the Constitution that an endeavour should be made to take action upon the Resolutions now under consideration by the other House before a Bill has been founded on them, and before they have received the sanction of your Lordships. Assuming that these Resolutions will receive the sanction of the House of Commons, the Question which I have to ask is, Whether, before proceeding with a Bill, or in the absence of any attempt to proceed with one, the noble Earl and his Friends propose to ask the House of Lords how far they concur in the principles of those Resolutions?

EARL RUSSELL: I think the course pursued by the noble Earl is somewhat extraordinary. In the midst of a discussion in the House of Commons upon certain Resolutions, and in the prospect of a division in that House upon the question, the noble Earl brings the subject forward; and he says he will not discuss the Resolutions, but he will discuss the effect of them. If a Member of the House of Commons was about to oppose the Resolutions, what more effectual way could he take than that of saying, "I will discuss the effect of the Resolutions; I will show you the bad effect they will have if they are carried, and how contrary they are to sound policy; and therefore I ask you to reject them?" That Member of the House of Commons would be quite in order and quite within the rules of debate. But to raise a discussion in this House on a debate proceeding in the House of Commons is, I must say, an unusual and a not very exemplary course of proceeding. The noble Earl has taken up three topics. He has first discussed my course of action on this question of the Irish Church, and has adverted to what he considers the inconsistency of my course. I will answer the noble Earl in the language of Burke, who, when he was taunted with some inconsistency, said, "I vary my means in order to preserve the consistency of my ends." My end has been the pacification of Ireland, and not merely to preserve a parchment union with that part of the kingdom, but that the hearts and minds of the people of England and Ireland should be reconciled; and, seeing the miserable consequences that have resulted from time to time from the almost periodical recurrence of discontent and disaffection from the date of the Union to the present time, I wish to see that Union become real, and the people of Ireland fairly convinced that they are treated with justice. I have always been of opinion that you could not say they were treated with justice when the whole of the revenues applied to the religious instruction of the people of Ireland are given exclusively to an eighth, a ninth, or a tenth of the community. That is, as has been shown over and over again, an inconsistency which exists nowhere else in the world; and, being complained of by the people of Ireland, the Roman Catholics of Ireland have this year asked for equality with regard to religious distinctions. It is obvious that the easiest mode at the time of the Union in which that equality might have been effected would have been by a large grant to the Roman Catholic clergy, and that was the mode that Mr. Pitt proposed, but unsuccessfully—we all know that not a single word he uttered on that subject took effect. In 1825 Lord Ellesmere proposed that a provision should be made by law for the Roman Catholic clergy of Ireland. I voted in favour of that proposition. I used very strong language at the time. I remember saying that I could not understand the construction of that man's mind who was not ready to vote for such a Motion as that if it would produce peace in Ireland. But that proposal was defeated — not in the House of Commons, for there it was carried by a majority—but the Minister of that day did not choose to adopt it, and it was altogether lost, and was not brought forward again in 1829, when the general question of the privileges of the Roman Catholics was settled. Well, when the subject came to be debated here in 1866, it was brought forward by my noble Friend on the cross Benches (Earl Grey), not in the shape of a Motion for a Commission of Inquiry, but by a series of Resolutions settling the whole question. I certainly did not feel myself justified at that time in agreeing to those Resolutions; nor last year, when the noble Earl (the Earl of Derby) opposite was in Office, and was proposing a new Reform Bill, as the Ministry of which I was the head had done the year before, would I have thought it right, fair, or expedient that we should attempt to settle the difficult question of the Irish Church at the same time that we were endeavouring to pass Reform Bills seeking to settle the representation of the three parts of the United Kingdom. All, therefore, that I proposed in 1867 was, that there should be an inquiry by a Commission, but with this proviso and condition — that the Commission should inquire, whether the revenues of the Irish Church might not be applied in such a manner as would benefit the whole people of Ireland.

The Earl of DERBY: That proviso proposed by the noble Earl was struck out.

Earl RUSSELL: I did not mention that circumstance at first, but it is quite true that the proviso which I proposed was struck out by this House; and that shows, at all events, that I was ready for an inquiry, and that I wished that inquiry to be complete, and that we should have, as the result of it, some plan which would be for the benefit of the whole people of Ireland. I stated—and the noble Earl has certainly fairly repeated what I said—that my preference was, as it would be even now, if it could be effected, that the equality for which the Roman Catholic laity in Ireland ask should be obtained by an endowment embracing the Episcopalian Protestants, the Presbyterians, and the Roman Catholic instructors of the people. But when I find that neither the Established Church in England, nor the Established Church in Scotland, nor the Dissenters in England, nor the Dissenters in Scotland, nor the Established Church in Ireland, nor the Presbyterians in Ireland, nor the Roman Catholic clergy of Ireland are willing to concur in such a plan, then I am perforce, in this free and constitutional country obliged, as I have already said, "to vary my means in order to preserve the consistency of my ends." I am obliged to give up the plan which I myself preferred, and adopt, or rather follow, a scheme that has more chance of success, but which would attain the end—the pacification of Ireland. The noble Earl, in his history, made some remarkable omissions. He forgot to say that during Lord Grey's Ministry that question of having a Commission of Inquiry into the revenues of the Irish Church—always proposing that a portion of those revenues might be applied to other purposes than the maintenance of the Established Church—was a matter of conference and discussion; and it was during Lord Grey's Ministry, and not during that of Lord Melbourne, that the noble Earl himself and Sir James Graham quitted the Government on account of their differences of opinion with their Colleagues. It is not a matter of proof, but I have always believed that it was in consequence of the fears of King William IV. that the Government would propose plans to him which he would not be able to approve that he dismissed the Ministry of Lord Melbourne and sent for Sir Robert Peel. No doubt King William IV. acted according to his own conscientious views; but it seems to me it would have been very much better if he had left the Ministry of the day to introduce their own plans; and in that case I doubt whether we should have been successful in carrying them. However that may be, having had a strong opinion on that point in 1834, when Sir Robert Peel undertook the Government of the country under very adverse circumstances, we did not think ourselves bound to follow him. On, the first question of the Address, we proposed an Amendment with regard to municipal corporations, and also a censure on the Government of Sir Robert Peel for having dissolved the previous Parliament. After a time, there being this difference with regard to the Irish Church, and seeing no hopes of ever getting a majority in that Parliament which he himself had called together, Sir Robert Peel most constitutionally said that the Minister ought to have the confidence of the House of Commons; he ought not to remain Minister if he has not that confidence; and therefore, with my Colleagues, I have felt compelled to resign our power into the hands of the King. The noble Earl (the Earl of Derby) refers to the Resolutions now before the other House, and he asks me whether those who are favourable to them have had any communication together, and whether, supposing those Resolutions to be carried in the other House, they intend to propose them to this House. Now, I think it is rather premature to ask that question. I think they ought to be regular Resolutions of the House of Commons, made and reported, before that question should be put. However, I will not keep the curiosity of the noble Earl in suspense, but will say at once that, as far as I know the sentiments of those who sit on these Benches, it is not our intention in any way to propose these Resolutions to this House. My belief is that if a Bill containing the substance of those Resolutions, embodying the views of Mr. Gladstone, is brought before this House, that would be the best shape in which they can be submitted to your Lordships, with the view to their becoming an Act of Parliament. And if that Bill in its several stages were supported by a majority of the House of Commons and by the country, it would have far more chance of being favourably received and accepted by your Lordships than if I or any noble Lord near me were to bring forward Resolutions. That is a point, I submit, of discretion; and perhaps the noble Earl will recollect that when there was a question raised last year by a noble Lord on the cross Benches (Earl Grey) with regard to the expediency of proposing Resolutions or a Bill on the subject of Parliamentary Reform, I said that was entirely a matter for the discretion of the Executive Government; and, whether the noble Earl preferred Resolutions or a Bill, I should not make any objection to the course he might think fit to take in that respect. The noble Earl then comes to another question on which he accuses me of making a statement which is not historically accurate. But I must say he has attributed a meaning to my words which I never intended, and which I do not think they will bear. The whole question contained in Mr. Gladstone's third Resolution, as I read it, is this—

> "That an humble Address be presented to Her Majesty, humbly to pray that, with a view to the purposes aforesaid, Her Majesty would be graciously pleased to place at the disposal of Parliament Her interest in the temporalities of the Archbishoprics, Bishoprics, and other Ecclesiastical Dignities and Benefices in Ireland, and in the custody thereof."

That is a question which it appears to me is preliminary to any measure with regard to the Irish Church. It was, in fact, embodied in the Act of Parliament which the noble Earl himself induced the other House to accept, and which was afterwards accepted in this House, in respect to the temporalities of the Church of Ireland. It was there enacted in a clause that His Majesty had been pleased to place the temporalities of the Church in Ireland at the disposal of Parliament for the purposes of that Act; and your Lordships will recollect that ten Bishoprics were absolutely destroyed by that Act. So, likewise, when a Bill was brought into the House of Commons by the late Earl of Carlisle, affecting the temporalities of the Irish Church, and containing the Appropriation Clause, I then, as Minister of the Crown, brought down a Message from the Crown, to the effect that His Majesty was pleased to place at the disposal of Parliament his interest in the dignities, Bishoprics, and benefices of the Church of Ireland. It appears to me a necessary preliminary that you should have the assent of the Crown if you mean to have any legislation on this subject at all. I hold in my hand an extract from my speech, taken from *The Times* newspaper, which agrees as nearly as possible with the passage read by the noble Earl. It is as follows:—

> "Gentlemen, I do not wish to detain you much longer, but I must say a few words on the very important third Resolution proposed by Mr, Gladstone. That Resolution asks the Crown to place at the disposal of Parliament Her Majesty's interest in the ecclesiastical dignities and benefices in Ireland. Now, that is in conformity with the advice which a great many years ago I gave to King William IV., and which His Majesty was pleased to accept, although, as I had to contend with Sir Robert Peel, Lord Derby, and Sir James Graham, I did not succeed, and was beaten in that encounter. I trust, however, that Mr. Gladstone will be more fortunate; that the advisers of the Crown will, as I suppose they will, advise Her Majesty to do what King William IV. did; and that disestablishment and disendowment will be the result."

Now, there was no part of the Message sent by King William IV., and there would be no part of the Message sent by Her Majesty, if she should graciously accede to Mr. Gladstone's third Resolution, which would bind the Crown or bind Parliament to disestablishment or disendowment. It can only be by an Act of Parliament—by a Bill receiving the approval, first of the House of Commons, next of the House of Lords, and lastly the assent of the Crown—that disestablishment and disendowment can be effected. But, if you take it the other way and say that no advice should be given to Her Majesty to place at the disposal of Parliament, even for the purpose of discussion or argument on the part of those who introduce the question—who I suppose would be the regular Official Advisers of the Crown—her interest in these revenues and appointments, it would be an estoppel to Parliament, and would prevent the subject being considered at all. It would, of course, be always in the power of the Crown to object to any particular measure, but in the event I have supposed the whole subject would be entirely in abeyance. Parliament would be condemned to silence or inaction on the subject, unless advice were given to the Crown in conformity with the advice given to William IV. I have been looking to see whether there is any precedent for that course, and I have found one that is exceedingly to the purpose; but it is rather remote, being nearly three centuries ago. I find that in 1575 a Bill for Rites and Ceremonies in the Church having been read three times in the House of Commons, the Speaker declared to the House that it was the Queen's pleasure that from henceforth no Bills concerning religion should be proposed or received into the House unless the same should be first considered and approved by the clergy. Now, is that the principle on which the noble Earl insists? Does he contend that a subject like this must not even be discussed in the House of Commons unless with the approval of the clergy? Such a principle, I am afraid, would very much limit the authority of the House of Commons, and would very much fetter the liberty of discussion which, since the Revolution of 1688, they have taken upon themselves. The noble Earl says that, as an historical fact, I was not defeated by himself, Sir Robert Peel, and Sir James Graham, because I succeeded in carrying the Bill in the House of Commons. Yes; but that does not at all diminish the importance I attach to their opposition, for it had an immense effect throughout the country, and when the Bill came up to this House, and one of the vital clauses was struck out by a large majority, it would have been impossible for us to appeal with any hope of success to the country. Their opposition was so influential that I had county Members constantly coming to me and saying that they would lose their election if we persisted in the measure and if we appealed to the country. I confess that, under these circumstances, we, rightly or wrongly, retained Office. It is clear, then, that those who opposed the Appropriation Clause were victorious. At that time, however, the ignorance that prevailed with regard to Ireland and the Irish Church was something quite astonishing. When I mentioned to my constituents that there were churches in Ireland in which no Divine service was performed my hearers could not believe it. They thought it impossible that such a state of things could exist, notorious as it now is, and that was the reason why we were defeated. For my own part, I see no reason because that measure was defeated in 1836, because it could not be carried in 1838, why now, when the people are far more enlightened and when opinion is far more favourable to a just settlement of the question of the Irish Church, we should not endeavour to obtain such a settlement. If these Resolutions are carried—I leave it entirely out of the question whether the Ministry should choose to resign or not, for that is no business of mine—my belief is if they give advice to the Crown to resist the deliberate opinion of a large majority of the House of Commons they would produce a difference, in fact a collision, between the Crown and that House which, happily, we have not witnessed for many years, and which in former times was averted by Mr. Pitt and Lord Grey by appealing to the country. Now, however, it is quite clear—it must be evident to the whole world—that, in the case of an appeal to the country, there would not be a less majority in favour of Mr. Gladstone's Resolutions, and in favour of taking into consideration the Irish Church, than there was on the 30th of March, when Mr. Gladstone, by a majority of 60, carried his proposal to go into Committee. I think I have already explained that the speech I made did not, as the noble Earl seems to suppose, imply that Mr. Gladstone in his Resolutions recommends the Crown to agree with the House that disestablishment and disendowment are necessary; but only that the Crown should, as on former occasions, allow Parliament to consider the question. The noble Earl apparently wished to impress on my mind that nothing can be done by Resolutions. I know that perfectly well. I am quite aware that the Queen would not be justified in suspending a single Bishopric or benefice in Ireland unless an Act of Parliament provided that that should be done. The Queen cannot be constrained, as it were, by the House of Commons to suspend these appointments. That is a question of convenience and arrangement; but the great question is, whether disestablishment and disendowment are due to the Irish people. It was no doubt a great triumph in 1836 not to agree to our Resolutions; and it was a great triumph in 1825 that the Roman Catholic Church was not endowed; but, however successful the Opposition was in those instances, it has brought on the question of disestablishment and disendowment; and if you mean to consult the real interests of Christianity in this country, you will act according to what Mr. Gladstone has proposed whenever a Bill comes up to you; and I feel very confident that when that Bill does come up—if it is supported by the great majority of the House of Commons, and that majority speaks the sense of the country at large—your Lordships will have the patriotism and wisdom to accede to it.

EARL GRANVILLE: The noble Earl opposite (the Earl of Derby) stated that, had not my noble Friend given in his adhesion to Mr. Gladstone's Resolutions, he should have addressed his question to me or to the noble Duke near me (the Duke of Argyll), because he understood we were present at a private meeting at Mr. Gladstone's, at which those Resolutions were drawn up. Now, though I have long been in the habit of calling on Mr. Gladstone, sometimes alone, sometimes with a few friends, and sometimes with many, I think I have a right to ask upon what authority the noble Earl based that statement? When notice of the Resolutions was given it happened that, by a singular coincidence, some one very like a runner of the Treasury was observed to be excessively attracted by the architecture of Mr. Gladstone's house. That gentleman had not far to go, because Mr. Gladstone's house was not far from the Treasury; but it was remarked that he hovered around Mr. Gladstone's door as if drawn to the spot by some extraordinary attraction. Now, it is perfectly impossible that he could have been employed by any Member of the Government for that purpose; for, though we have seen many strange things in this country, it is not to be thought that he could have been made use of for what in Continental countries is called *espionnage*, but in this country and in more vulgar language "touting." At the same time I do not complain. I am willing to admit that I have been at important preliminary conferences connected with the Resolutions; I am very happy to say that I feel but a very small responsibility on that account, and I shall be glad to give your Lordships any information possible on the subject. But I do protest against its being drawn into a precedent that, if a man is seen to enter into the house of a political friend he should be called upon by his political opponents for such information as the noble Earl has indicated. There are a few points in what fell from the noble Earl to which I wish to refer. I do not profess to be a prophet, but this afternoon I have been a prophet and a successful one. I said to a noble Friend of mine that I thought it extremely possible the noble Earl in dealing with this question would begin by declaring his determination not to discuss the Resolutions at all, and would immediately rush straight into the middle of them. My noble Friend said he could not believe it, but I think I was right. I wish to follow the theory rather than the practice of the noble Earl. But there are one or two points which I think it important to notice. The noble Earl did not read the Resolutions, but said he would give their substance. He did give the substance of the first and second quite correctly; but, by a singular mistake, he gave the substance of the third exactly in the manner in which the Government Papers give it day after day, and which conveys a perfectly erroneous impression of what that Resolution really is. The noble Earl said that the third Resolution prayed the Queen to suspend the exercise of the ecclesiastical patronage of the Crown in Ireland. Well, having been admitted to some of the conferences on the subject, I must say that one of the most anxious considerations of its framers was how to proceed in these matters in the most constitutional way as regards this House, and in a manner the most profoundly respectful as regards Her Majesty. We looked for precedents, and we found one in the Church Temporalities Act, promoted by the noble Earl; and Mr. Gladstone has, in fact, taken the words of his Resolution from that Act. During our search, we looked not only to the Act in which the words occur, but also to the debates. We found that an objection was raised as to the Crown's consent not having been properly given, and the answer given by Lord Althorp and subsequently by Mr. Secretary Stanley—the noble Earl — was that they took the right way of proceeding to obtain the consent of the Crown, and he added that he could not help thinking that those who insisted on a point of mere form showed their disinclination to grapple with the subject. The Speaker, on being referred to, said that the consent of the Crown might be given at a future stage. Sir Erskine May in his work on *The Law and Practice of Parliament*, says that it is usual for the Crown's consent to be given before the introduction of any Bill which affects the Royal Prerogative. That consent is usually obtained by Her Majesty's Ministers advising Her Majesty to place her interest and Prerogative at the disposal of Parliament—a phrase upon which the noble Earl seemed to lay some stress—but the meaning is not that the Crown gives any approbation to the substance of the measure, but will merely remove an obstacle to the carrying on of the Bill, so that it may be considered both by the House of Commons and by the House of Lords, and ultimately be submitted for the Royal assent. I believe this is the usual course which should be adopted. But how will it be when a Motion of this kind is made by a Member of the Opposition? Can this course be taken when the Ministers are adverse? It was thought disrespectful to this House and towards the Queen that one branch of the Legislature should ask Her Majesty not to fulfil those duties which the law of the land imposes upon her. It was thought exactly in the same way that either branch of the Legislature might ask the Crown to remove the form of an obstacle to legislation. The noble Earl who introduced this subject did one thing, however, which appears very extraordinary. He, an unofficial, but certainly an eminent, Member of this House asked another Member, equally unofficial and equally eminent, what the Opposition in the House of Commons would do under certain circumstances? I am surprised that my noble Friend gave an answer, but he did, and a most explicit answer it was. I should not venture of myself to ask a Question on this subject of Her Majesty's Government; but since the noble Earl has set the example, perhaps I may be allowed to inquire of him, what is the course Her Majesty's Government will take in the event of their being defeated by an enormous majority in the House of Commons? I will put the Question on the Paper if the noble Earl wishes? But what I do protest against is this,—that a noble Lord, having retired from the official Leadership of this House—and there is no Peer who laments more than I do the noble Earl's retirement—should, almost immediately after having so retired, endeavour solemnly to pledge the House of Lords, before the country and the House of Commons, to fly in the face of whatever Resolution the other House of Parliament may adopt, and so make themselves an unpopular assembly.

THE EARL OF DERBY: Perhaps the noble Earl will allow me to answer the Question as to what the Government ought to do in the event of the Resolutions being carried.

EARL GRANVILLE: That is not my Question. What I asked was, whether the noble Earl would tell me what the Government would do in the case I have stated?

THE EARL OF DERBY: Of course I cannot undertake to say what the Government will do; but if they are defeated by a large majority in the present state of Parliament, I do not think they would be justified in abandoning Office, inasmuch as, under present circumstances, it would be impossible, or next to impossible, to adopt the ordinary course of an appeal to the country.

THE LORD CHANCELLOR: My Lords, I am so sensible of the inconvenience which would arise from a continued discussion of the Resolutions which are said to be pending in the other House of Parliament, that I should have preferred to let the matter rest upon the speech of my noble Friend and the answer of the noble Earl. But the noble Earl who gave that answer and the noble Earl who followed him have fallen into an error upon a matter of fact which ought not to pass without correction, because the accuracy of the statement of that fact really constitutes the turning point as to the parallel between what was done in 1833 and what is proposed to be done on the present occasion. Now, what was done in 1833? A Resolution was proposed by the Government of the day to recommend to Parliament the extinction of a certain number of Irish Bishoprics, and to deal with the temporalities which belonged to them. Having come to that Resolution, the Government of the day introduced a Bill on the subject in the House of Commons; and inasmuch as the Crown had an interest in the temporalities of those Bishoprics, the Bill recited that the Sovereign had placed those temporalities at the disposal of Parliament. I apprehend that that was a perfectly right, regular, and constitutional mode of proceeding; because Parliament was called upon to deal, and proceeded at once to deal with those Bishoprics, with their temporalities, the right to appointments, and the other interests and patronage involved. But what is proposed to be done on the present occasion? The noble Earl who has just sat down corrected my noble Friend in the inference he drew from the Resolutions which are said to have been proposed to the other House of Parliament. But the noble Earl himself in reading the Resolutions fell into a much greater inaccuracy. I will read to your Lordships the third of these Resolutions as they are read by both the noble Earls on the Opposition side of the House. They read the Resolution as follows:—

> "That an humble Address be presented to Her Majesty, humbly to pray that Her Majesty would be graciously pleased to place at the disposal of Parliament Her interest in the temporalities of the Archbishoprics, Bishoprics, and other Ecclesiastical Dignities and Benefices in Ireland, and in the custody thereof."

That is the way in which the noble Earls on the Opposition side of the House read that Resolution; but they omit the most important words, which make all the difference between the present case and that of 1833,—namely—

> "That with a view to the purposes aforesaid Her Majesty would be graciously pleased to place at the disposal of Parliament, &c."

Now, what are "the purposes aforesaid?" The designs of the framers of the Resolution are to prevent the creation of new personal interests by the exercise of any public patronage pending the final decision of Parliament. Therefore, what the Crown is asked to do by this Address is, not to consent to Parliament legislating with regard to the disestablishment of the Irish Church, but to place at the disposal of the Parliament its rights and patronage—not with the view to their being extinguished or transferred to, or exercised by, any other body, but with the view of their being suspended until some future time—for one, two, or, perhaps three years—when Parliament shall have come to a final decision as to what shall be done with them. I do not desire to prolong the debate; but I ask the noble Earl to consider whether, in the course of Parliamentary history there is any precedent for an Address praying the Crown, by the creation of a vacuum or an interregnum in regard to the legislation of the country, to suspend its prerogative for an indefinite period.

THE DUKE OF **ARGYLL**: The noble and learned Lord has entirely misunderstood the scope and intention of the Address which it is proposed by the Resolutions shall be presented to the Crown. The noble and learned Lord has endeavoured to impress upon the House—repeating, in this respect, the misconception of the noble Earl opposite—that it is the intention of these Resolutions to pray the Crown to suspend its Prerogative in respect to the filling of benefices in Ireland, in consequence of the Resolution of the House of Commons, without legislation upon the subject. [The LORD CHANCELLOR dissented.] Then, if the noble and learned Lord shakes his head and denies that to be the representation he made of the effect of these Resolutions, I affirm that he has entirely failed to make out any distinction in point of principle between the precedent of 1833 and the course which it is proposed to take in 1868. The Resolution proposed to the House of Commons asks the Crown to place at the disposal of Parliament—not of the House of Commons, but of Parliament in all its three branches—the intermediate patronage in respect to the Church in Ireland until the decision of Parliament shall have been taken in regard to it. In short, the Resolution does not in any way propose to dispose of the revenues of the Irish Church, which it leaves to be dealt with finally by legislation in Parliament, and not merely by the Resolution of the House of Commons. There is, indeed, this distinction between the present case and all previous cases of a similar kind, in which the Prerogative of the Crown has been placed at the disposal of Parliament—and that is, that in all previous cases the Crown has placed its interest at the disposal of Parliament under the advice, and at the initiative of, its responsible advisers; whereas, in the present case—the country having a Government which does not possess the confidence of the House of Commons, and which is opposed to the course proposed to be taken by the Resolutions, the House of Commons is compelled to address the Crown upon this subject, and to assume to itself the initiative with regard to the disestablishment of the Irish Church. The discussion this evening is an example of the inexpediency of the course taken by the noble Earl opposite, who, occupying the position of an Independent Member of this House, has thought fit to put a question to other Independent Members on this side of the House, as to the future course they intend to take with regard to this question. I say respectfully to the noble Earl that the future course of the Liberal party as Independent Members of this House upon this great question is in our own keeping, and the conduct of the Opposition is our own business and not his; and if, through the good nature and the courtesy of my noble Friend (Earl Russell) he has condescended to answer the question the noble Earl has put to him, it is our duty not the less to protest against this occasion being drawn into a precedent. The noble Earl has put questions which he has not a right to ask, and to which he had not a right to expect an answer. His putting that question is, indeed, an acknowledgment of our position. The noble Earl knows well that although the Liberal party is not in Office it is in power. He knows further that we have the power to impress upon Parliament the policy we advocate; he knows, in short, that the Government which he has recently left is only, to use his own expression, a Government of "stop-gaps" and "make-shifts" and nothing else.

The Earl of HARDWICKE thought that the House in discussing this question should take into consideration what might be the effect if Her Majesty, mindful of her Coronation Oath, were to refuse to accept the principle laid down in the Resolutions which had been submitted to the other House.

The Earl of MALMESBURY: My Lords, two or three noble Lords on the opposite side of the House have taken upon themselves to read the noble Earl who sits near me (the Earl of Derby) a lecture; and, in return, I hope they will permit me to return the compliment by referring them to the usual customs and manners of this House. It is neither the custom of the House of Lords, nor the manner among Englishmen, for those who have made an attack upon individuals to retire when those whom they have attacked are about to reply to the charges made against them. I was about to rise a few minutes since, when I was interrupted by the noble Earl who has preceded me; and though the noble Lords who have spoken on the other side of the House saw that it was my intention to reply to the accusations which have been brought against the Government with reference to this question, those noble Lords left the House without giving me, who represent the Government in this House, any opportunity of replying to their accusations. Under these circumstances, I shall not attempt to reply to the charges which have been brought against us by those noble Lords whom I should never decline to meet face to face. The noble Lords have brought two accusations against those who sit on this side of the House to which I was particularly anxious to reply. One of those charges was directed against the noble Earl near me (the Earl of Derby), complaining that he, as an independent Peer, had taken upon himself to put a question to the noble Earl who sits opposite with regard to the course he intended to take with regard to the Resolutions which have been submitted to the consideration of the other House of Parliament. It is said that the noble Earl having retired from Office was not entitled to plunge into this debate. The charge is not worth replying to. Is my noble Friend to give up his right to speak on one of the most important subjects of the day because a month ago he filled the office of Prime Minister?—a post which he unfortunately was obliged to resign. I am glad to observe that the noble Duke (the Duke of Argyll) has returned to his place, and I will take the liberty of repeating what I was saying in his absence—that it is neither courteous nor customary, when a noble Lord has attacked a Minister, to leave the House without awaiting the reply he may have to offer. My noble Friend the noble Earl (Earl Granville) who has also returned, was obliged, I am afraid, to leave his place by indisposition; but I must say he always carries on a debate with a courtesy and good humour, which the noble Duke does not exercise. The noble Earl complained that some spy appeared to have been placed before Mr. Gladstone's house for the purpose of ascertaining who were the persons that passed in and out. Now, I confess that no one is more alarmed than I am by Mr. Gladstone's proceedings of every description; but what alarms me the more upon this subject is that within two doors of Mr. Gladstone's house there resides a friend of mine whom I am in the habit of visiting once or twice every week, and I now fear that if I were recognized passing Mr. Gladstone's door I might be put down for a *mouchard* watching his movements and those of his visitors. As I understand the noble Earl (Earl Russell) admitted, at the end of his speech, the principle which my noble Friend the

Earl of Derby has laid down as to the difference between action upon Resolutions and action upon a Bill; and that is the whole point under discussion. If you arrest the Queen's Prerogative upon Resolutions you arrest it indefinitely, and it is impossible to know when it may be again exercised. I will take the liberty of putting a question to the noble Lords opposite, and I will ask them whether they intend to bring in a Bill? Nothing of the kind has as yet been done; and all that has taken place upon that matter is to move a series of Resolutions, which have no greater Parliamentary value than an abstract Resolution about the moon. It has never been stated by the Mover of the Resolutions that he would bring in a Bill, and yet they would have the face to ask Her Majesty to suspend her Prerogative without any pledge being given that a Bill would be introduced. The Prerogative might thus be suspended for three, four, or five months. Indeed, we know that it must be suspended until January, for with all the activity of Mr. Gladstone and his party I defy them to disestablish the Irish Church before that period. But it might be January, 1870, before any measure for that purpose could become law, and yet, according to the Resolutions, the Queen is not in the meantime to appoint to any Bishopric or other preferment in the Irish Church. I understand the noble Earl (Earl Russell) to take the same view as my noble Friend on that point, and to say that he should not expect Her Majesty's Government to advise Her Majesty to take such a course. In conclusion, I have only again to protest against the statement of the noble Duke that an Independent Peer, because he has resigned high office, ought not to come down to that House at a critical and important period and give us the benefit of his experience, which is greater than that of any other Member of the House.

VISCOUNT HALIFAX said, he was not in any way responsible for the Resolutions in the other House; but he must say that the noble Earl who had just sat down (the Earl of Malmesbury) had entirely misrepresented—unintentionally no doubt—what had fallen from the noble Duke and the noble Earl who had left the House (Earl Russell). The distinction between the present case and the precedent of 1833 was this. In 1833 a measure was proposed by the Government and the assent of the Crown was given to it on their recommendation. But in the present case it was not the Government but the House of Commons that took the initiative, and, in the most respectful way, asked the Crown to do that which in 1833 the Government advised the Crown to do. The distinction was obvious. In 1833 a Bill was introduced on the subject of the Irish Church temporalities, and the Government of the day recommended the Crown to place at the disposal of Parliament its interest in the appointment of Bishops and Archbishops. Mr. Gladstone now moved an Address asking the Crown to do the same thing. If it was not open to a Member of the House of Commons to make such a proposal, it must be a perfect estoppel to that House interfering with what they might consider a great grievance, because the Government might advise the Crown not to put its interests at the disposal of Parliament. In 1833 the statement made by Lord Althorpe was this—he signified to the House that His Majesty had been graciously pleased to place at the disposal of Parliament his interest in the temporalities of the several Bishops and Archbishops of Ireland. That was a formal proceeding without which the House of Commons could not have proceeded. It did not pledge the Queen as to the ultimate measure, but unless her formal assent was signified it was a perfect estoppel on the proceedings of the Commons.

LORD REDESDALE said, it was not difficult to see the difference between the two cases that had been mentioned. In the year 1833 the Crown was advised to place its patronage at the disposal of Parliament, in order that it might be dealt with by a Bill which had been introduced for the purpose; but in the present case it was proposed that the Crown should be asked to suspend the exercise of its Prerogative on a Resolution of the House of Commons. The second Resolution prayed the Crown not to make any new appointments to any vacancies that might occur —any Bishopric, deanery, rectory, or preferment of any sort—so as to prevent the creation of new personal interests. That was a thing that had never before been asked of the Sovereign. But Her Majesty was bound by her duty to the Church to exercise her Prerogative in appointing to vacancies as they occurred; and the Crown was now to be asked, "for the purposes aforesaid," to make no new appointments, in order that no new personal interests might be created to be compensated for on the principle proposed by the Mover. The effect would be that till such time as, in the conflict of parties, the Bill might be introduced and passed no appointment by the Crown would be made. [The Duke of Argyll: No!] All he could say was, if that was not the meaning of these Resolutions the sooner the language in which they were framed was altered the better. It was utterly impossible that any other interpretation should be placed on them.

Viscount **HALIFAX** had already stated that he was in no way responsible for the Resolutions; but the noble Earl who had sat near him (Earl Russell) had distinctly stated what indeed must be obvious to everyone, that no addresses could interfere with the action of the Sovereign, so as to suspend making any appointments, in the exercise of the Queen's patronage, which it was her duty to fill up.

The Earl of **HARROWBY** said, the question was not what was the intention of the Mover of the Resolutions, but what was the meaning which the words themselves bore. He did not see how it was possible to put upon the Resolutions any other interpretation than that they were to have some immediate effect.

The Duke of **ARGYLL**: The Resolutions were framed for the purpose of placing the patronage of the Crown at the disposal—not of the House of Commons—but of Parliament.

The Earl of **HARROWBY**: The Resolutions, if they were carried into effect, would prevent the creation of any new interest in the temporalities of the Irish Church. The position of the Crown in that case was one of a very peculiar character. It might be that the Crown might give leave to Parliament to discuss a Bill prepared on the subject; but at the present moment there was no Bill in existence; and it would be a most painful thing for the Sovereign, who was sworn to maintain the Irish Church, to be over-ruled, not by a legislative Act, but by a Resolution of the House of Commons calling upon the Crown to allow that body to deal as it pleased with the Irish Church. Such a course of proceeding would not be consistent with the duty with which the Crown was invested in the character of its head and protector.

House adjourned at a quarter past Seven o'clock, to Thursday next, half-past Ten o'clock.

## HOUSE OF COMMONS,

*Tuesday, April 28, 1868.*

MINUTES.]—New Members Sworn—Andrew Green Thompson, esquire, *for* Cockermouth; Viscount Mahon, *for* Leominster.

Public Bills—*Resolutions in Committee*—Established Church (Ireland)—r.p.

*Third Reading*—Capital Punishment within Prisons * [36]; Marriages (Frampton Mansel) * [79]; Broughty Ferry Provisional Order Confirmation * [90]; United Parishes (Scotland) * [81], and *passed.*

### BURIALS (IRELAND) BILL—MR. MONSELL AND THE DEAN OF CORK.

### EXPLANATION.

Mr. **MONSELL** said, he would ask permission of the House to allow him to speak for a few moments on a matter personal to himself. He found that Dr. Magee, the Protestant Dean of Cork, had complained of a statement attributed to him (Mr. Monsell) with regard to the burial-ground of Enniskillen. He begged to state that he made no statement with regard to the Enniskillen burial-ground, but to a place called Pubble. The facts were—that the graveyard of Pubble was about a mile from the Protestant Church; that for the last twenty-six years the burial service of the Established Church had not been celebrated therein more than five times; that Roman Catholics had no other available burying-place than that of Pubble within a circuit of not less than ten miles; that, notwithstanding, the Rev. T. C. Maude, rector of the parish in 1848, prohibited the Roman Catholic priests from officiating at Pubble graveyard; that the Rev. Dr. Magee, who succeeded Mr. Maude as rector, was requested by a lay Roman Catholic parishioner to remove the veto of his predecessor, and permit the Roman Catholic parishioners to have the privilege of Christian interment. This request Dr. Magee held under consideration for some time, but ultimately refused to communicate further on the subject with the applicant. Dr. Magee had also impugned the statement which he had made in a recent debate on the Irish Burials Bill, to the effect that the very rev. gentleman had declined to allow Roman Catholics to be buried in a graveyard at Enniskillen according to the rites of their religion. He begged to say that he had made the statement on the authority of a petition, to which he called the attention of the hon. and learned Member for Mallow (Mr. Sullivan), in order that, if there was anything erroneous in it, he might contradict it.

## GRIEVANCES OF CUSTOMS OFFICERS. QUESTION.

Mr. GRAVES said, he wished to ask the Secretary to the Treasury, Whether the Commission appointed by the Treasury to inquire into the grievances of Customs Officers in London has made its Report; and, if it is intended to extend the investigation to the outports, when the inquiry may be expected to commence?

Mr. SCLATER-BOOTH, in reply, said, the Commission referred to had not yet made its Report. It was originally the intention to extend the inquiry to the outports; but it was doubtful how soon this would be done.

## ARMY—WOOLWICH ARSENAL. QUESTION.

Captain PACK-BERESFORD said, he would beg to ask the Secretary of State for War, Whether the manufacture and repair of machinery in use in the Royal Arsenal at Woolwich has not hitherto been executed in the Royal Gun Factory, under the immediate superintendance of the officers connected with that Department; and, whether any change has been made recently in this system, or if any change is contemplated; and, if so, to what effect?

Sir JOHN PAKINGTON said, in reply, that the original custom was as stated by the hon. and gallant Member. Latterly it had been decided to manufacture and repair the machinery by contract, but it was now under consideration whether it would not be wiser to revert to the former practice.

## DEVIZES GAOL.—QUESTION.

Mr. MARSH said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been called to the fact of the Wiltshire Magistrates having decided to make Devizes Gaol the only gaol in the county; whether he is aware that malignant typhus exists in that gaol; and, whether he will send down an Inspector of the Board of Health to report whether Devizes Gaol is fit to be the only gaol in the county?

Mr. GATHORNE HARDY said, in reply, that nothing was known at the Home Office of typhus fever having prevailed in Devizes Gaol, nor would such a fact come before him officially, unless the visiting Justices applied to Government to send down an Inspector. It was for the local Magistrates to decide whether Devizes should be the only gaol for the county; and, as long as they complied with the Prison Act Regulations, they could place it where they pleased, and the Home Office had no power to interfere.

## ARMY—FORTIFICATIONS.—QUESTION.

Mr. O'BEIRNE said, he would beg to ask the Secretary of State for War, Whether the following announcement, which appeared in *The Times* of the 2nd of April instant, is correct:—

> "Sir John Pakington, as Secretary of State for War, has nominated the following gentlemen to act as a Committee to inquire into the character and construction of our Coast Defences, whether of iron, masonry, or earthwork, as recommended by the Royal Commission on National Defences:—Admiral the Hon. Sir F. G. Grey, G.C.B., chairman; Major General Collingwood Dickson, C.B., Royal Artillery; Major General Simmons, C.B., Royal Engineers; Major General Harness, C.B., Royal Engineers; and Mr. Hawkshaw, Civil Engineer;"

and, if that announcement be correct, whether he will state to the House the nature and extent of the instructions under which the Members of that Commission are to act, what powers have been given to them, whether they are authorized to examine witnesses, and whether he will place a Copy of the Commission, and of the instructions upon the Table, for the information of the House?

Sir JOHN PAKINGTON, in reply, said, he would not commit himself to the exact expressions used in the paragraph the hon. Member had quoted from *The Times*, but it was quite true he had appointed a Committee of the character described in it. Allegations had been frequently made in the House that the large expenditure on our fortifications and arsenal defences had been to a great extent thrown away. It had been stated that the foundations were in some cases giving way, that in others the walls were cracked, and in others the roofs were falling in; and when he asked on what authority such allegations were made, it proved to be newspaper articles and anonymous letters. It therefore appeared to him desirable to get some authentic information on the subject, and he accordingly appointed the Committee.

He selected Sir F. G. Grey to preside over it because of his known ability and high character, and also because he held the office of President of the Fortifications Committee, and because he had nothing to do with either the designing or construction of the works he would survey. He had associated with Sir F. G. Grey the officers whose names the hon. Member had read, and every one would agree that it was impossible to nominate a Committee of higher reputation. He had no objection to lay the instructions given to the Committee on the table; they were of the simplest kind; both in them and in his private communications with Sir F. G. Grey, the only point he had insisted on was, that in the Report of this body of gentlemen, whose honour and competence were above all suspicion, the whole truth should be made known for the information of the House and the country.

**Colonel SYKES** said, he would beg to ask, Whether Mr. Hawkshaw was included in the Committee?

**Sir JOHN PAKINGTON** said, he was.

## IRELAND—LOCAL GOVERNMENT.

### QUESTION.

**Mr. PIM** said, he wished to ask the Chief Secretary for Ireland, When he expects to introduce the Bill for the extension to Ireland of the facilities which are afforded to England and Scotland by the Local Government (England) Act, 1858, and the General Police and Improvement (Scotland) Act, 1862?

**The Earl of MAYO**, in reply, said, the Bill referred to by the hon. Member was ready but; it wholly depended on the course of business whether he should feel it his duty to introduce it or not.

## CASE OF MR. COBLE.—QUESTION.

**Mr. BAGNALL** said, he rose to ask the Secretary to the Treasury, Whether his attention has been called to the dismissal of Mr. Coble from his office as Collector of Customs at Whitby; and, whether the Treasury is prepared to reconsider the case?

**Mr. SCLATER-BOOTH** said, in reply, that, after full consideration of the further representations made by Mr. Coble, and looking to the length of time which had elapsed since the inquiry took place, the Treasury had come to the conclusion that no sufficient reasons had been adduced to re-open the case. He would, however, say that, although the irregularities of which Mr. Coble was convicted rendered his discharge necessary for the discipline of the service, he was inclined to think his misconduct might be attributed mainly to want of judgment and discretion, and that he was not guilty of any intentional dishonesty or moral offence.

## REGISTRATION OF ELECTORS.

### QUESTION.

**Sir EDWARD BULLER** said, he would beg to ask the First Lord of the Treasury, When he proposes to introduce the Bill for the amendment of the Law relating to the Registration of Electors in Counties and Boroughs in England and Wales?

**Mr. DISRAELI** replied that he regretted he had neglected to communicate privately with the hon. Baronet, as it had been his intention to ask him for some explanation of his Question. He was not under any obligation that he could recall to introduce a Bill relating to the Registration of Electors in England and Wales; and he believed that if the Boundary Bill were passed at the period he at present thought quite practicable, all that was requisite for the proper registration of electors in England and Wales would be provided for in that measure and the Bill of last year. He did not attach any definite idea to the Question of the hon. Baronet; he must, therefore, excuse him from answering, and not set it down to any want of courtesy.

**Sir EDWARD BULLER** said, he had certainly been under the impression that a Bill was to have been introduced for the express purpose of calling upon certain officers in parishes and boroughs to put upon the registration those persons who, in their lists, stood entitled to the possession of the franchise.

## INDIA—TELEGRAPHIC COMMUNICATION.—QUESTION.

**Mr. DYCE NICOL** said, he would beg to ask the First Lord of the Admiralty, Whether, in the present unsatisfactory state of Telegraphic Communication with the East, steps are being taken to ascertain the soundings between the English Channel and Gibraltar, and along the Mediterranean to Alexandria, as also from entrance of the Red Sea to Bombay, for the purpose of facilitating and encouraging the early establishment of an independent and more efficient and economical Telegraphic Communication with India than now exists?

Mr. CORRY replied, that deep sea soundings between England and Gibraltar, and along the Mediterranean to Alexandria, and through the Red Sea, were specially obtained by the Admiralty between 1857 and 1859, with a view to laying a submarine telegraph communication, and the line of the soundings had recently been successfully completed between Aden and Bombay. As far, therefore, as the soundings were concerned, there was no impediment to the establishment of telegraphic communication between India and England.

### IRELAND—THE LAND QUESTION.
#### QUESTION.

Mr. PIM said, he wished to ask the Chief Secretary for Ireland, When he intends to introduce his measures respecting the Land Question in Ireland; and when he expects that the "Electoral Statistics" for Ireland, ordered on Monday, 23rd March, will be laid upon the Table?

The Earl of MAYO said, in reply, that the electoral statistics would be laid on the table to-morrow. The Land Bill had been ready for some time; but it would be useless for him to introduce it unless he could see that there was a prospect of securing a full discussion for the measure, and that there was a chance of passing it this Session. Should he see a likelihood of this being the case, he would introduce the Bill, and explain its provisions to the House.

### IRELAND—MURDER OF MR. FEATHERSTONHAUGH.—QUESTION.

Mr. EYKYN said, he wished to ask the Chief Secretary for Ireland, Whether it is the intention of Her Majesty's Government, in consequence of the barbarous murder that recently took place in the county of Westmeath, to apply to Parliament for extension of their powers under the Suspension of the Habeas Corpus Act, so as to enable them to adopt against Ribbonism and Agrarian Outrage, the same course that has been so successfully adopted for the suppression of Fenianism in Ireland?

The Earl of MAYO, in reply, said, he could sympathize with the motive which induced the hon. Member to ask this Question, knowing, as he did, that the hon. Member had spent a portion of this year in the district where this frightful outrage had been committed. Everyone must feel that a great stain had been inflicted upon Ireland by the perpetration of this terrible murder; but, at the same time, he must remind the House, that such crimes have latterly greatly diminished. He did not, therefore, think that the general state of the country would justify the Government in proposing to extend the provisions of the Act, to which the hon. Member referred, to any other description of offences than that to which it was now applied — namely, to the suppression of Fenianism.

### INDIA—CIVILIAN JUDGES (BOMBAY).
#### QUESTION.

Sir ROBERT COLLIER said, he would beg to ask the Secretary of State for India, Whether, in the temporary absence of the Chief Justice of Bombay, a civilian member of the Court has been appointed to fill his place; if so, whether any special reasons exist for the preference of a civilian to a Barrister Judge; and, whether any Despatches have been sent by the India Board to the Government of Bombay on this subject; and, if so, whether he has any objection to lay those Despatches upon the Table of the House?

Sir STAFFORD NORTHCOTE, in reply, said, the Chief Justice of Bombay had taken a short leave of sbsence; and upon the occasion of his absenting himself the post of Acting Chief Justice was, in the first instance, offered to the senior Barrister Judge, Sir Joseph Arnold, by whom it was declined. It was then offered to the next senior Judge, Mr. Newton, who, he believed, was a very competent person, and accepted. He was not aware of the reasons for appointing a civilian to the post, except that he was next in seniority. He had no objection to the production of the Papers asked for, and would produce also a despatch written some years ago, on a similar occasion, by Sir Charles Wood.

### ARMY—THE 86th REGIMENT AT THE MAURITIUS.—QUESTION.

Mr. WHALLEY said, he would beg to ask the Secretary of State for War, What measures have been taken for the removal of the 86th Regiment from the Mauritius, and within what period it may be expected that the Regiment will, by this or other means, be rescued from its present perilous condition; and, with reference to the General commanding in the Mauritius and the Colonel of the Regiment, whether any steps have been taken, or are intended to fix upon those officers respectively the responsibility for the disastrous results of their having landed the said Regiment, in disregard of instructions and in defiance of the express warning of the local authorities?

Sir JOHN PAKINGTON replied that he could only repeat the Answer which he had given to a similar Question some time ago, as far as the first part of the hon. Member's Question was concerned. He had taken no measures for the removal of the 86th Regiment from the Mauritius beyond those which he had already communicated to the House—namely, that he had given authority to the officer in command in the Mauritius to remove the troops whenever the state of the health in the island might render such a course advisable, a question upon which he could not of course at such a distance give any decision. The instructions sent out referred also to others, for the 32nd Regiment and other troops were also stationed there. His Royal Highness the Commander-in-Chief had sent out instructions that a strict investigation should be made into the reasons for permitting the troops to land, in disregard of the warning of the local authorities, and as the hon. Member would see, he could not give any further answer to the Question until that Report had been made.

Admiral ERSKINE said, he would beg to ask, How many men of the 86th had died?

Sir JOHN PAKINGTON said, that only one death had occurred among the men of the 86th Regiment, although there had been a great deal of sickness.

Mr. WHALLEY: Have not the women and children suffered more?

Sir JOHN PAKINGTON: I cannot tell exactly the number of women and children that have suffered. The last account is that the women and children have suffered more than the men; I will be prepared to give a more exact Answer on Thursday.

## TURNPIKE TOLLS.—QUESTION.

Mr. MORE said, he would beg to ask the Secretary of State for the Home Department, If he can state when it is his intention to introduce his Bill with reference to the subject of Turnpike Tolls?

Mr. GATHORNE HARDY said, in reply, that he had not promised to bring in a Bill on the subject, but only to consider whether he should do so. The Bill was in the hands of the draughtsman; but he was not prepared to say at present whether he would introduce it.

## ESTABLISHED CHURCH (IRELAND).

### QUESTION.

Mr. VERNER said, that having heard a rumour that there was a wish to close the debate that night, he would beg to ask the First Lord of the Treasury, Whether any opportunity would be afforded to Members of northern constituencies in Ireland to express not only their own opinions, but also the opinions of their constituents?

Mr. DISRAELI: Sir, one of the most difficult duties devolving upon an individual occupying the office I have the honour to hold is to attempt to regulate the conduct of a debate in a manner which will give satisfaction to both sides of the House. With regard to the present Question, first of all it presents itself to me as affecting the feeling of the Government, and then as regards the sentiments of the House. The Government have obtained what they wanted—that the opinion of the House should be taken upon a distinct issue; and we shall offer no obstacle to the conclusion of the debate. At the same time, it should be recollected that it is a question of great constitutional importance, upon which Gentlemen on both sides of the House—especially if there be a prospect of its being submitted to the consideration of the people generally—reasonably wish to express their opinions. I therefore have to consider the reasonable requirements of both sides, and have no other wish than to adopt a fair conclusion, and it remains for the House to express to me their general view of the subject. I regretted last night to see that reference was made to the circumstance that the debate was chiefly maintained by Gentlemen who generally do not take part in discussions. Although it is a necessary consequence of our Parliamentary constitution, and the mode in which business in this House must be carried on, that generally discussion must be confined to a few what are called leading Members, yet there are questions which sometimes arise, like the present, on which it is not fair that the discussion should be confined to those Gentlemen only. I am most anxious that Gentleman on both sides should feel their interests have been as fairly consulted as is possible. I shall be happy to have an understanding on both sides of the House that Independent Members shall have an opportunity of expressing their opinions, and that the debate should not be continued on one side or discouraged on the other more than would be advantageous to the reputation of the House.

Mr. GLADSTONE: Sir, it will, doubtless, be for the convenience of hon. Members that they should have some idea as to what is likely to be proposed in the course of the evening; and therefore, as I may consider that the Question of the hon. Member for Lisburn (Mr. Verner) has some reference to what fell from me last night, I beg to assure the hon. Gentleman that there is nothing further from the intentions of those on this side of the House—though we are desirous of allowing the other Public Business to go forward as soon and with as little embarrassment as possible—than to force any decision upon a question of this kind. In what I said last night I was governed a great deal by the observation I then made, that, although we heard many very interesting and important speeches, yet they turned more upon the conduct of the Government, of the Liberal party, and of myself than upon the character and case of the Irish Church. I hope that in the discussions that are to come there will be a disposition to place, on each side of the House, the best construction on the motives and proceedings of the other. And, anxious as we are to have no part in extending the debate, the hon. Member need not be the least afraid that I or any Friend of mine will attempt by a bare majority to suppress the expression of opinion.

## IRELAND—REPORT OF THE IRISH RAILWAY COMMISSION.

### QUESTION.

Mr. MONSELL said, he rose to ask, When the Report of the Irish Railway Commission would be laid on the Table of the House?

The Earl of MAYO: I saw one of the Commissioners to-day, and learned from him that the Report of the Commissioners will be signed on Thursday, and of course it will be presented as soon as possible after that day.

*Mr. Disraeli*

## COLLIERY ACCIDENTS.

### OBSERVATIONS.

Mr. GREENE (who had on the Paper a Notice respecting Colliery Accidents and for the appointment of a Royal Commission on the subject) said, he had the right, as his name was first on the Paper, to bring the Motion forward. ["Oh, oh!"] If hon. Members opposite thought that they could put him down he begged to tell them that they would not do it if they tried till six o'clock next morning. ["Oh, oh!"] If the interruptions were continued he would persevere with his Motion. ["Oh, oh!"] He was in earnest about it. He felt very strongly on the subject; and if it were not that he thought he should be doing the cause an injury by now pressing the Motion he certainly should not be inclined to withdraw it. He believed it to be as much more important than the Irish question as the Abyssinian war was to a street row, ["Oh, oh!"] He desired to remind hon. Members that 2,468 men were killed in coal mines in the short space of two years. If any hon. Gentleman opposite did not think that that was important, perhaps he would get up and say so. ["Oh, oh!"] He desired to say that if hon. Members thought they could ever stop him, they were mistaken. They had taken the wrong man in hand; but at the same time he did not intend to press the Motion. He withdrew it at the wish of the Goverument; but he hoped that they would give him some other day for bringing it forward.

## PROCEEDINGS IN COMMITTEE OF SUPPLY—RESOLUTION.

### ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [21st April],

> "That the Resolution of the House of the 9th day of February 1858, relative to Proceedings in Committee of Supply,—'That when it has been proposed to omit or reduce items in a Vote, the Question shall be afterwards put upon the original Vote or upon the reduced Vote, as the case may be, without amendment,'—be rescinded."—(*Mr. Ayrton.*)

Question again proposed, "That the said Resolution be rescinded."

Debate *resumed.*

The CHANCELLOR of the EXCHEQUER, in moving an Amendment in the standing Resolutions having reference to proceedings in Committee of Supply, said his object was to meet the objections pointed out a few evenings ago by the hon. and learned Member for the Tower Hamlets (Mr. Ayrton). In the 4th Resolution there were the words "without amendment," which he believed had been inserted after the Resolutions came down from the Select Committee. He would propose that those words should be left out and that this Resolution should be adopted—

> "That after a Question has been proposed from the Chair for a reduction of the whole Vote, no Motion shall be made for omitting or reducing any item."

He hoped there would be an understanding that if a Motion to omit an item had failed, and that subsequently there was a reduction of the Vote as a whole, the hands of the Government would not be tied in respect of the mode in which the reduction was to be carried out; but that they would be at liberty to make it on the particular item which had been affirmed in Committee, or on any other portion of the Vote. The right hon. Gentleman concluded by proposing his Amendment and the new Resolution.

Mr. GLADSTONE: If I understand the Resolution, it is likely to place the matter upon a very reasonable footing, so as at once to secure the order of our proceedings, and at the same time to give to all Members of the House the fullest scope. Any proposal for a Vote in Supply must divide itself into two branches—first, the general structure of the Vote, and, secondly, the particular items of which it is composed. In future we shall consider, in the first instance, the particular items of the Vote; and, after that, it will be open to any hon. Member to raise the general question of the structure of the Vote, and its general fitness for the purpose for which it is intended. Now, the right hon. Gentleman, on the part of the Government, proposes that in cases where particular items may have been confirmed by Vote of the Committee, if subsequently there should be a reduction of the aggregate amount of Vote, a difficulty might arise in the mind of the Government whether they would be acting in accordance with the intention of the House if they reduced any particular item. Well, Sir, I think it is obvious that if the Committee confirm an item in a Vote it must be understood to do it with reference to the general amount. I must be understood to mean that the amount put down for this particular item is not unreasonable.

Mr. GOLDNEY said, it appeared to him that if there were six items in a Vote four of which were unexceptionable, and exceptions were taken to the two remaining items, and on a division on the latter items the Government gained a narrow majority, and if afterwards a reduction of the whole Vote was moved and carried, it would be extremely undesirable that the items which had not been objected to should have to be reduced, while those to which exception had been taken must necessarily be left in their entirety.

Mr. AYRTON said, that the hon. Gentleman (Mr. Goldney) had misunderstood the nature of the proposal, which was that if, for instance, one or two items were affirmed and the Vote itself afterwards reduced, the whole of the items would be remitted to the Government for re-consideration.

Question put, and *agreed to.*

1. *Resolved,* That when it has been proposed to omit or reduce items in a Vote, the Question shall be afterwards put upon the original Vote or upon the reduced Vote, as the case may be.—(*Mr. Chancellor of the Exchequer.*)

2. *Resolved,* That after a Question has been proposed from the Chair for a reduction of the whole Vote, no Motion shall be made for omitting or reducing any item.—(*Mr. Chancellor of the Exchequer.*)

## ESTABLISHED CHURCH (IRELAND).

### COMMITTEE.

Acts *considered* in Committee.

(In the Committee.)

1. Question again proposed,

> "That it is necessary that the Established Church of Ireland should cease to exist as an Establishment, due regard being had to all personal interests and to all individual rights of property."—(*Mr. Gladstone.*)

Amendment proposed,

> To leave out from the first word "That" to the end of the Question, in order to add the words "so long as the Union between Great Britain and Ireland continues to exist, it is just and consistent that the principle of the Established Church should be maintained in Ireland, and its endowment on a scale suitable to the wants of the population,"—(*Sir Frederick Heygate,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the proposed Resolution."

Colonel BARTTELOT said, the right hon. Gentleman the Member for South Lancashire had exercised a very wise discretion when he advised the House to keep as near as they could to the question of the Irish Church. Other Gentlemen, however, on that side of the House had made use of language which, in his opinion, was out of place in a great debate like this; but he trusted he should not fall into a similar error, although in the course of his remarks he should have to advert to the speech delivered last evening by the right hon. Member for Stroud (Mr. Horsman). He should endeavour to establish that it would be an act of gross injustice to the Protestants of Ireland if the Church in that country were wholly disestablished and disendowed. No doubt there were many important measures before the House this Session; but he would ask the Committee whether the question of the disestablishment and disendowment of the Established Church was not the most important of them all? The Opposition and not the Government had brought forward this great question; and if many Gentlemen on the Ministerial side of the House were, not unnaturally, anxious to address the House on the subject, he was sure there was no desire on their part to delay the division on the Resolutions proposed by the right hon. Gentleman. The right hon. Member for Stroud distinctly stated that the Committee had to decide between the policy of the Government, which was a policy of upholding the Establishment and levelling upwards, and the policy of the right hon. Gentleman the Member for South Lancashire, which was a policy of levelling downwards. Now he, in common with many who sat on that side of the House, did not take that view of the matter, but was perfectly willing to raise a straightforward issue on the question whether the connection between Church and State should be maintained both in this country and in Ireland. If the Irish Church were disestablished and disendowed, the attacks on the English Church would come faster than the right hon. Member for South Lancashire seemed to suppose. The right hon. Gentleman had set the ball rolling, and where it would stop he did not know, nor did he perhaps care. The hon. Member for Birmingham (Mr. Bright) had on one occasion compared the Members for Stroud and Calne to a Scotch terrier, so covered with hair that one could not tell the head from the tail; but they were quite distinct enough now, and resembled two dogs of a different kind, who barked at every one, and when attacked sought refuge under the skirts of the right hon. Member's (Mr. Gladstone's) coat. The right hon. Member for Stroud, having been Chief Secretary for Ireland, surely ought to have given the House some information about the Irish Church; but in his speech he did not mention a single grievance caused by the existence of that institution. He believed, however, that during the time the right hon. Gentleman was in Ireland he did nothing but amuse himself; and the people, in their generosity, said that "His Honour was a good fellow, for he could ride well across country." For his own part, he believed that the Irish Church had been of great benefit to the country. He had often asked the peasantry, both in the North and South of Ireland, what they thought of the Establishment? and the reply was invariably that they were well treated by the clergy. They professed to have a liking for a gentleman, and he never heard any other remark beyond that in Ireland. He did not say that there were not others who said a great deal against the Establishment; but he denied that the mass of the people were discontented with the Church. At the time of the famine disturbances he was quartered at Cork, and had consigned to him from England various large sums of money for the relief of the existing distress. The money was distributed among the clergy, and he found that at that time there prevailed the greatest unanimity with regard to the acknowledged disposition of England to help them. But were there no other causes that stirred up the people of Ireland against the Irish Church? Had those men who were bound to instruct the people done their duty? He was not going to censure the Irish priests; but he would affirm that if they had instructed the people in that loyalty which it was their bounden duty to inculcate, the result would have been different; but, taught by their priests, they had learnt to keep rankling in their breasts feelings which happily did not possess the peasantry of this country. In the North of Ireland Protestant and Roman Catholic would be found living side by side harmoniously—excepting, perhaps, a fraction, who indulged in Orange displays and other little disturbances occasionally. Otherwise they were perfectly quiet, prosperous, and happy; and he would ask whether the influence of the Protestant Church and people had not had something to do with the state of tranquillity which prevailed in the North? He would ask whether the Protestant people in the North of Ireland had not during the whole of these Fenian disturbances, and on every occasion, done everything in their power to promote between England and Ireland that union which was so essential to the well-being of both countries? Why was there so different a state of things in the South of Ireland? Why was Belfast flourishing and increasing from day to day and from year to year? Why was Cork stationary, if not going backward? Why were there no new buildings to be seen there as in Belfast? Why, but because that life was safer in the North than the South; and because no capital would go there for employment till the people had learned not to take the law into their own hands. It was said, though he did not altogether endorse it, that Ireland laboured under three curses, demagogues, priests, and poverty. As to demagogues, they had always existed, and still existed. As to the priests, history would say whether they had or had not done their duty. He had certainly met many priests who were well-educated and well-affected men; but he had met with others who were disposed towards everything that Englishmen considered wrong with respect to the Union. With regard to poverty, he presumed most hon. Gentlemen would admit that poverty was passing away. Every one acquainted with the country must be familiar with the progress it had made since 1843, as exemplified in the better cultivation of the land, the improvement of the houses, and the increased comfort of the poorer classes. It was obvious that the demagogues had been fostering the discontent which prevailed. But what was the remedy for the grievance complained of? He was sure of this, that if the right hon. Gentleman had taken the vote upon the land question, and not upon the Church question, he would have found a hundred who cared for the former for one who cared a single farthing for the latter. But the right hon. Gentleman had taken up the cry of the Church, because it was popular with hon. Gentlemen on the other side. He (Colonel Bartelott) could perfectly understand such a course on the part of the hon. Member for Birmingham, who had all along avowed himself an advocate of disendowment and equality. They were now about to try their hands upon the Irish Church, and the question arose, Was the Church part of the English Church or not? No doubt it was, and this was admitted on the opposite side when it suited the purpose of the party to say so. He contended that they were going to perpetrate an act of gross injustice, and to offend the feelings and prejudices of a large portion of Her Majesty's subjects; and before taking such a step would it not be well to pause and well consider it? But was that all? The people of the North of Ireland had been accustomed for centuries to pay tithes and receive all the benefits of an Established Church without paying more than their tithes. These people would have a right to complain if that privilege were now taken from them. Was there no other way of getting out of the difficulty than by disestablishment and disendowment? He ventured to think there was—namely, by the removal of anomalies and defects of the Establishment, which he, for one, was not prepared to deny prevailed in certain portions of Ireland. Supposing Parliament were to reduce the Bishops and deans and clergy who had no cure of souls, that would go a certain way, at all events, to reduce the grievances complained of, without inflicting the gross injustice of severing the Established Church from the State. Would it not be possible to allow the proprietors in Ireland to buy up the tithes at a certain amount, and the funds secured by this means might be applied to some useful purpose, such as the general education of the country, which he thought would be doing no great harm. In conclusion, the proposal before the Committee was one of a ruthless—he would not say dishonest—character, and he was glad to know that Gentlemen on his side of the House would show, as a body, that they were determined to stand by that Church which, whatever faults she might have, had been a great blessing to this glorious and great country.

MR. BUXTON said, nothing had astonished him so much in the debate as the unparallelled weakness of the arguments by which these Resolutions had been encountered. Surely the right hon. Gentleman at the head of Her Majesty's Government must be ashamed to march through Coventry with such a ragged regiment of reasons as those which had been put forward on his side of the question. First of all, there was what he might call the Lord Plunket argument. They had been deluged with quotations from speeches of Lord Plunket, Lord Ellenborough, and others, as if they at this day were to be deterred from their purpose by the *ipse dixit* of some of the most arrant Tories of an age that was past and gone. Then there was what might be called the garrison argument—the argument that if they laid their hands on the Irish Church, it would affront those who were the true props and pillars of our dominion over that island, and perhaps they would leave us in the lurch. It was almost inconceivable that any statesman should dare to use such an argument as that. Was it possible to suppose that Her Majesty's Government was to take a partisan side with one of the factions by which Ireland was unhappily rent asunder, with the view of keeping down by their aid the majority of the nation? It was difficult to think of such an argument with patience. Then came the argument, scarcely less preposterous, that they had no right to interfere with the settlement made at the time of the Union, just as if the Parliament of the United Kingdom was to be restrained from doing that which, in its wisdom, it might deem right, just, and politic, because, forsooth, of some imaginary agreement between some unknown parties seventy years ago. Such an argument was not worth wasting one's breath upon; it could only show the barrenness of the cause on behalf of which it was put forward. And yet these three most futile and frivolous objections—for he scorned to touch the one about the Coronation Oath—all but exhausted the list of those that had been alleged on behalf of the Government. There remained, however, one more; the only one that it was possible to treat with the smallest show of respect. That was the argument that, in thus dealing with the Irish Church, they would be setting a precedent that would almost inevitably be followed afterwards on this side of the Channel. He admitted that this argument, and this one alone, had in it some decent respectability. But even to that one there was an obvious, decisive, overwhelming reply. The answer to it was that the disestablishment of the Irish Church was an act of justice to that country; and they could have no right to refuse justice to Ireland, because in doing so they might have to encounter some inconvenience or danger to themselves. They were bound to do to Ireland that which was right and good for her people. They could have no right to perpetuate the infliction of wrong upon them, or to maintain abuses among them, because in tearing them down they might endanger our institutions at home. No one could deny for a moment that were Ireland an independent and self-governed land the Protestant Establishment would long since have ceased to exist. No one could deny that it was only because Ireland was bound up with Great Britain that the Protestant Establishment had ever lived at all, or had not long ago been swept into the sea. The eyes of the people of this country were at last opened to the iniquity of forcing upon a sister nation a religious system which the vast bulk of them abhorred; and happily they might be sure that England would not be induced to reject the demand for justice to Ireland by the plea—the base and mean plea—that to do so might damage our own interests. So poor, so barren, were the arguments of those who would keep things as they are. But, now, was there more force in what those on his own side had to allege? The right hon. and gallant General opposite (General Peel) put this question to the House—and he read the words themselves, for nothing was so easy as to dispute a general statement as to expressions which had been used. "Upon what grounds," he asked, "are we called upon to sever the connection between Church and State in Ireland?" What was the true answer to the gallant General's question? On what grounds, in very truth, did they demand that severance? They demanded it upon the ground that this Church is alien from the heart and soul of the Irish people. They demanded it upon the ground that she was repudiated by the nation as a nation, and therefore that her position as the so-called national Church was a falsehood and a sham. They demanded it upon the ground that the continuance of her supremacy in connection with the State was a sign of conquest—a reminiscence of oppression—a last remnant of that infamous system that used to glorify itself under the name of Protestant ascendancy. So long as by our superior force we maintained the supremacy of a Protestant Establishment over a Roman Catholic country we were treating the people of that country as a subject people. Let us cut that artificial—that arbitrary bond between the Church and State, and then, indeed, we should give all our Irish Roman Catholic brethren the proof which they had a right to require at our hands, that we regarded them as our equals, our fellow-citizens; that we renounced once and for evermore utterly the idea that formerly gave shape to England's policy towards them, and rendered it the scandal of the world—the idea of treating them as conquered aliens. And was there indeed anything so novel, so strange to our policy in taking such a step as this? Had we not, in Canada, in Australia, in our other colonies, laid down, with the consent of all parties, the principle, and carried it out to the extreme, that there should be no union between Church and State, where it would be opposed to the feeling of the nation? And how could there be anything irreligious, as some seemed to pretend, in abolishing that union? The Church herself might have something in her holy, something divine; but her political position, as a State Church, was wholly the creation of law. It was altogether determined by laws passed by fallible men—possibly, as in the case of Ireland, by men who were known to have been scoundrels—and there could be nothing profane in the repeal of these laws by later legislators. What Ireland really required at our hands was to do justice and mercy. He would fain say a word or two on the personal aspect of the question. Scarcely a single speaker in the whole six nights' debate had refrained from bitter attacks on his opponents; and he must acknowledge that some of the satire that had been heard had been of the most brilliant character. The speeches of his right hon. Friend the Member for Calne (Mr. Lowe) and of his right hon. Friend the Member for Stroud (Mr. Horsman) especially had been exquisite specimens of sword play. But might we not say, *Ohe! jam satis est*? They were surely weary, or, at any rate, those persons, if such existed, who read their debates must be weary of these interminable vituperations. There was a homely, but sensible saying—"'Tis an ill bird that fouls its own nest," and he confessed that he had too much *esprit de corps*, as a Member of that House, and too profound a reverence for Parliamentary self-government, not to perceive with keen regret that, in thus bandying Billingsgate against each other, they were lowering their self-respect, and were injuring at once the reputation of their public men and of Parliament itself. And these recriminations had not, in his opinion, even the poor merit of being true. As regarded, for example, the course taken with regard to the Irish Church by the right hon. Gentleman the Member for South Lancashire, how could any man who looked at it not as an advocate, but as an impartial judge, deny for one moment that, in the debates on this topic in the last three years, the right hon. Gentleman and the Liberal party had shown in the plainest way that they were prepared to grapple boldly with the Irish Church as soon as the public mind should be ripe for action? Well, during the last year the Fenian insurrection arose. That woke the English nation from its lethargy; it deeply stirred the heart of this nation; it turned every thinking mind to the question whether, indeed, there did still remain any wrong, any grievance, in the treatment of Ireland by her sister kingdom. It was the almost unanimous reply of the English people that the State supremacy of the Protestant Church was in very truth an insult and an injury to the Roman Catholic people of Ireland. The demand for the reparation of that wrong—for the removal of that injustice—arose from one end to the other of the country. It would have been a dereliction of duty on the part of the right hon. Gentleman as the Leader of the Liberal party; it would have been a declaration of duty on the part of their representatives in this House; it would have shown a feebleness of purpose that certainly was no part of the character of the right hon. Gentleman, had he and they refused to respond to that great call; and he was sure that when the passions of the moment had sunk into rest, every man who was not blinded by partizanship would be ready to admit that the Liberal party had done right to lose not a day in assaulting the stronghold of that monster grievance. On the other hand, might he say one word that might, perhaps, be somewhat unpalatable to his friends on that side of the House? They had been deluged with floods of talk about the inconsistency of hon. Gentlemen opposite, and he could not refrain from saying that he, for one, should feel it to be neither grateful nor generous to keep making those interminable taunts against those who had, as they (the Liberal party) believed, conferred a boon of inestimable value on the country. And, more, he was at a loss to conceive how any man who sought truth alone could find the least difficulty in placing himself in the position of hon. Gentlemen opposite, and understanding how men, even of the severest principle, and of the most stainless honour, could well have thought that it was a sacrifice demanded from them by patriotic duty to retire from the ground on which they had formerly made their stand, and avail themselves of the power that had passed into their hands to meet the overwhelming necessity of the time by effecting a settlement the least dangerous and the most lasting that could be devised of the question of Reform. Now, in his opening speech of this debate, the right hon. Gentleman (Mr. Gladstone) quoted with regard to the Irish Church the superb lines of *Hamlet*—

> "We do it wrong, being so majestical,
> To offer it the show of violence;
> For it is, as the air, invulnerable,
> And our vain blows malicious mockery."

Now, it appeared to him that this question was one of no ordinary majesty, and that they did it wrong in making it a stalking horse for party vituperation. He was well aware that, in a party sense, it might seem to be in the highest degree imprudent to make any such admission; but he was not afraid to tell the truth, and the whole truth: and, as an individual independent of party considerations, he did not scruple to own his profound conviction that this debate was indeed a momentous epoch in the political career of this country. Depend upon it, they were standing by the meeting of the waters of two mighty streams of human thought. They were witnessing—though as yet in a narrow arena—they were witnessing, they were sharing in the victory of the still young but Herculean principle of religious equality over the principle, hoary with antiquity, crowned with the reverence of a thousand years, now truly in its decay, but fraught in its prime with unnumbered blessings—the principle of the union of Church and State. And if it were not presumptuous in one so humble as himself, he would fain appeal to the men of genius who sat on the right hand and on the left of that House to remember that, in the words of Shakespeare—

> "Spirits are not finely touched,
> But to fine issues;"

and to consider, whether it was indeed worthy of them, in presence of so vast a conflict—should he say between truth and error—should he not rather say between the spirit of the days that were passing from them and the spirit of the days that were to come—whether it was worthy of them to turn aside from the height of that great argument to mean personalities and vindictive recriminations, which, were they false, and still more if they were deserved, must give unmingled pain to every patriotic bosom, to every generous and gentle mind?

Mr. ADDERLEY said, he was glad to see that the hon. Gentleman duly estimated the gravity of the subject; but he complained that there was no measure before the House by which the value of his arguments could be estimated. They had no measure before them upon which they were called upon to express an opinion. As far as the hon. Gentleman had given any grounds for any opinions which he was prepared to support, he (Mr. Adderley) could only trace them through a catalogue of pungent phrases used by men who found declamation easier than practical measures. What he (Mr. Adderley) complained of was this—that the House was now called upon, in the third debate on this subject, to vote upon a general abstraction, without any definite feature upon which the opinion of the House could fairly be taken: just the sort of general proposition which enabled a number of Gentlemen to vote together, who, if there was the slightest appearance of a plan carrying out that proposition, would be dispersed at once to the four winds of Heaven. The author of this Resolution carefully avoided the production of a plan; and when he had once fallen into the error of indicating any definite policy he had been warned by the murmurs around him that he had better avoid treading on dangerous ground. It was said that we had here a basis for legislation; but surely the House was entitled to ask for something like the outline of a measure, some proof that the author of the Resolution had a measure in his own mind upon the subject? We are asked to disestablish the Irish Church by a phrase coined for the purpose, and which the right hon. Gentleman had never attempted to define, and which no two Members would agree in defining. We are called upon to disendow the Irish Church without even a phrase, but merely by inference. There was to be a "due regard to existing interests," and it was reasonable to suppose that when salvage was provided a wreck was implied. He recalled to the recollection of the Committee that the right hon. Gentleman (Mr. Gladstone), upon the Motion of the Hon. Member for Cork (Mr. Maguire) laid down this good rule. He said, on the subject of the Irish Church, that no Minister of the Crown, not even an expectant Minister, would be justified in dealing with so grave a subject unless he could, at least, satisfy the House that he was prepared with a measure. What indication of the sort had he given the Committee? The Resolution was a simple wish. It was a curse upon the Irish Church. *Delenda est Ecclesia Hiberniæ.* That was all that the majority of 60 had voted. They expressed no opinion upon any mode of effecting that desire, and would be dispersed to the winds at the apparition of any scheme for affecting it. That this anathema should be uttered was the extent of their agreement. It was a declamatory Resolution —a declaration by the Committee that, if it only knew how, it would get rid of the Irish Church Establishment. That seemed to him to militate against the rule which the right hon. Gentleman had laid down for himself, and it was not a decent way of treating one of the gravest subjects which could be thrown into the arena of debate. The right hon. Gentleman had trusted to the eager following of men of ulterior views below the gangway who were enemies to all Church Establishments. There were many honest men who took that view; but in this case, under cover of a vague Motion simply denouncing the Irish Church, the Leader had enlisted partizans of much further design. These were the men who have cheered him, who had been his private counsellors, and had enabled him to carry by so large a majority the first step towards their extreme views. If there was any doubt about the spirit of those who supported the Resolution it was only necessary to refer to the speeches which had been made. It was clear from these that the old champion of Church and State was at the head of a raid against Church Establishments wherever they exist. The hon. and learned Member for Sheffield (Mr. Roebuck) said that, much as he disliked this mode of dealing with the Irish Church, so much was he convinced that all Church Establishments were wrong, that he intended on that ground to support the Resolutions. Not only was the right hon. Gentleman supported by the enemies of Church Establishments in general, but he had himself expressed the belief that the Irish Church would be safer and stronger if it were an unendowed and purely voluntary Church; he had taunted the Government with inconsistency in opposing his Motion at the time it was proposing to disendow the West Indian Church. In the first place, the Government were not proposing to disendow the West Indian Church, but to remove its charge from the English Consolidated Fund, and to throw it, for its greater vigour, upon its own resources. [*Opposition Cheers.*] In explanation of that cheer he would say that the right hon. Gentleman knew very well that he had supporters around him who intended to force on that proposition to the extent of appealing to the West Indian Government to disendow their own Churches. That proposition, he believed, was to be submitted to the House by the hon. Member for Bradford (Mr. W. E. Forster). If that had been the Government proposition Ministers might with justice have been charged with inconsistency, opposing and advocating the disendowment of Churches at the same time. But all the references of the right hon. Gentleman, throughout those debates, to the colonial Church clearly showed that his standard of a vigorous Church in its best condition, wherever it might be, was a Church stripped of all endowments, and with purely voluntary support. That might be the right view; but, whether it was so or not, the Resolutions of the right hon. Gentleman, illustrated by these speeches and expressions, were clearly intended to strike a blow at all Establishments, and were in effect aimed at the English just as well as the Irish Establishment; and the eagerness of those who supported him was accounted for in their surprise and delight at having such good ground to work from at starting as the anomalous state of the Irish Church, and their extraordinary good fortune in being led by the late champion of Church and State. The last speaker seemed to uphold the colonial Church as the model for the Church at home; the right hon. Gentleman had shown by his cheers that he approved the sentiment, having begun by his attack upon the Irish Church, he would soon, no doubt, become as violent in opposition to the Established Church in the rest of the kingdom. The hon. and learned Member for Exeter (Mr. Coleridge) had taken very much the same line; he had wasted a great deal of time in pointing out what every one knew, that the Church and the Church Establishment were two different things—that the Church was anterior to and independent of the Establishment and its connection with the State. That, no doubt, was perfectly true; but the statement had no relevancy here, except to point out more clearly that, however safe the Church might be, there was, no doubt, that the Resolutions were aimed at Church Establishments. That being the case, what became of the right hon. Gentleman's assurance that his Motion was not aimed at the English Church; and what was the statement of the right hon.

Member for Stroud (Mr. Horsman) worth, that no attack on the English Establishment could result from the disendow- of the Irish Establishment unless both Churches were in exactly the same position? It was true that the Irish Church was in an anomalous condition which did not attach to the English Church. There was no analogous disease; but the mode of treatment was infectious. No one disputed that fact. Hon. Members opposite had during this debate laboured under two entire delusions. They supposed they had been discussing a measure when they had really no measure before them; and they fancied themselves the only people who saw that a measure was required, whereas everybody had allowed that for years past. The difference between the Opposition and the Government was, not on any question whether there was an anomaly to deal with in the Irish Church, but in the practical and justifiable mode of dealing with it. The treatment proposed would not only shake the institutions of the sister country, but would very possibly render attacks on all our institutions more frequent and more powerful for evil. What needs a remedy is this — that in Ireland the national Church and the nation were not coincident, and that the provision for the religion of the country was unequally and unwisely distributed. That was no discovery; no one had disputed it. If wishes were remedies, then a Resolution that this anomaly should cease would suffice. Then, what was the proper remedy? The most natural would be either to bring the nation to the Church or the Church to the nation. An attempt to bring the nation to the Church might have been made at the time of the Reformation, and the neglect to do so had allowed circumstances and race to make it impossible to-day. The alternative suggestion to bring the Church to the nation by establishing and endowing the Roman Catholic Church was out of the question, because neither Parliament nor the country would permit it, and because the Roman Catholic Church would, so far from preserving the national Church, be less national and more alien than the present Establishment—it would be the Church of Rome in Ireland—and because the Roman Catholics themselves refused to be endowed. A right hon. Member opposite (Mr. Lowe) had likened the Churches in Ireland to Dives and Lazarus. The proposition was that because Lazarus refused to accept the clothes of Dives, the rich man should be stripped, in order to equalize their condition. This is the idea of religious equality. Was such a request ever before made? Not even in the day of bitterest animosity between Roman Catholics and Protestants in Ireland had it been proposed to destroy the disputed Church property; this had been reserved for the right hon. Gentleman. The Roman Catholics shrank from the alienation or secularization of the property of the country which was dedicated to its religion and civilization. Was the right hon. Gentleman sure that the interests of religion and civilization could afford to lose this property? What would be said when applications were made to hon. Members to make good from their private purses this money, which it was proposed recklessly to divert to other purposes? The right hon. Gentleman thought he could trust to the private spirit and religious zeal of the country to supply the deficiency to be occasioned by the dispersion of that property. No doubt, a Free Church when so set up in the first instance in a country, as was the case in some of the colonies, would be capable of raising resources by the zeal of its congregations. A Church which was in rivalry with another, as in the case of the Free Kirk of Scotland, might be able to depend for its support upon the rivalry and emulation of private individuals; but a Church that would, under the guidance of the right hon. Gentleman, deliberately throw to the winds the large provision which had been made for it, could scarcely expect to find people willing and ready to supply even for its most needful and beneficial purposes what had been so ruthlessly and recklessly thrown away. And the right hon. Gentleman had propounded no scheme for securing any provision for the Church; and hon. Gentlemen who were inclined to support his Resolutions should remember that, though the right hon. Gentleman had said that three-fifths of the property of the Church would, somehow or other, be saved, the right hon. Gentleman had hitherto failed to give a satisfactory explanation of that statement. There was not one Member in the Committee who could attach any rational meaning to that statement. As far as could be understood from his last explanation, it would appear as if he had capitalized the property of the Church, and had found that the life estates which he was going to save were in value three-fifths of the whole. But was that any consolation to the Church? It was just as much consolation as if he were to tell the tenants in tail of an estate he was about to confiscate that the lives in being before the estate was confiscated were equal to three-fifths of the fee-simple. But the right hon. Gentleman also proposed to give to the Church another boon, as arbitrary, as fatal —the retention of their churches and parsonages. But what advantage would that be to the Irish Church? If the right hon. Gentleman had his property destroyed and his estate confiscated, and Resolutions may come "that certain kinds of property should cease to exist," what advantage would it be to him to have his country house left to him? It would only give him the appearance of possessing property, and would deprive him of any excuse for appealing for support on the score of destitution. Better be stript altogether than retain a share of property without the means of supporting it, or the alternative of an appeal to charity to other quarters. Not a hint had been given of the rest of the plan. There were two steps in an act of plunder—abstraction and appropriation. They had not any indication as to the second of these steps, unless they were to look upon the hint given to the hon. Member for Birmingham (Mr. Bright), that an experiment might be tried in his socialist scheme of re-distributing land out of the plunder of the Church. Cromwell sequestrated a good deal of Irish Church property, and transferred the plunder to his Puritan soldiers; but the right hon. Gentleman improved on Cromwell's plan, for he threw out indefinite hopes of plunder to be scrambled for among his followers. They were called upon to vote that the Irish Church Establishment should cease to exist; but they had not been, in the least degree, informed as to the mode in which the scheme was to be carried out. It appeared to be something like one of the South Sea bubbles of former days, after faith had ceased in all divulged propositions — a scheme was advertised to be stated after the lots were drawn. The followers of the right hon. Gentleman rejoiced in their double delusion; for they not only boasted of their measure on the Irish Church question, but they also thought that they were the only people who knew that any measure was needful, and what the anomalies were which ought to be redressed. That side of the House as much as the other acknowledged the evils that existed, and the necessity of such a re-distribution of the property of the Irish Church as would make it correspond to the demands of the nation. But they, on his side, proposed to wait for that information which all admitted to be necessary. Hon. Gentlemen opposite were the first to recognize the necessity for further information, and now they were as eager to rush on without it, so confessing their recklessness openly. To deal with so grave a subject without having either the necessary information or a measure in view betrayed the agitator and not the statesman. Indeed, he thought that the function of the Whig party was always to agitate, and not to produce measures. For many a year they had agitated the question of Parliamentary Reform; but, if the present Government had not come into office, would any Parliamentary Reform have been passed? Now, hon. Gentlemen opposite were vexed that the question, of which they claimed a monopoly, had been settled by their opponents, and they were eagerly trying to get up another rallying cry—a further dash at Reform—without waiting for the completion of that Reform for which they professed they were so desirous. The question of the Irish Church stood in the way of Parliamentary Reform, and of Education, and of all the important measures of the Session, merely that the party opposite might recover the lead in agitation which they had lost, and that they might be able to unfurl a fresh Reform flag round which their followers might rally. Everybody knew that no practical measure could follow these Resolutions, and that they were proposed for the sake of agitation only. With a small part—a very small part—of his scheme the right hon. Gentleman said he was prepared, and that was to stop the increase of vested interests in the Irish Church. Was the right hon. Gentleman certain that he could carry even that small part of his plan? If agreed to there, what chance was there of its passing the other House? Nothing could follow from these protracted debates, except mischief from premature and ineffectual agitation. When the right hon. Member for Stroud contrasted the policy of the two parties, he tried to depict us as obstructive, and his friends in the march of Reform. But the summing up of all his oratory on Irish Church Reform was that, "somehow or other," it must be effected. The real contrast was between the one side rushing in, where the other feared to tread. The sense of responsibility, no doubt, made the difference, and if parties were transposed, Gentlemen opposite would wait for the Repor of their own Commission, and for the preparation of some effective measure upon it, before flourishing the abstract cry that the difficulty should cease to exist. The Government should do their utmost that as little mischief as possible may follow this reckless agitation, and be ready, as soon as materials are available, to deal effectively with the question themselves.

MR. PEASE said, he believed that hon. Gentlemen on both sides of the House were fully aware of the meaning and purport of these Resolutions. Among the many extraordinary arguments that had been put forward in defence of the Church Establishment in Ireland, none had astonished him more than that which fell from that very good Churchman the Member for Cambridge University (Mr. Gorst), when he declared that the Church of England held its place in the affections of the people because it was a democratic Church, in which rich and poor worshipped together. But the same argument applied with equal force to every other Christian body in this country. If he were advocating the claims of the Church of England, he should base them on such grounds as those stated by Hampden, who said on his death-bed, that he believed the doctrines of the Church of England were for the most part consonant with the words of Holy Scripture. He was very much surprised to hear it said that, on bringing forward this Resolution, the right hon. Member for South Lancashire was acting in a manner inconsistent with his previous character; for though he was aware that the right hon. Gentleman had published a certain book many years ago, he had always understood, and the men of the North of England understood, that when the right hon. Gentleman was turned out of his seat for the University, it was not because he was unsound in regard to the English Church, but because he was considered unsound in regard to the Irish Church, and would reduce the franchise lower than was desired by his then constituents. The hon. Member for Liverpool (Mr. Horsfall) had brought down an old well-thumbed copy of the book of the right hon. Gentleman, and quoted two or three passages; but the hon. Member forgot to remind that House that the book had been reviewed by a most eminent statesman—Lord Macaulay. At the close of that review there was a passage which he (Mr. Pease) begged to read to the House—

> "But if there were in any part of the world a national Church regarded as heretical by four-fifths of the nation committed to its care—a Church established and maintained by the sword —a Church producing twice as many riots as conversions—a Church which, though possessing great wealth and power, and though long backed by persecuting laws, had, in the course of many generations, been found unable to propagate its doctrines, and barely able to maintain its ground —a Church so odious that fraud and violence when used against its clear rights of property were generally regarded as fair play—a Church whose ministers were preaching to desolate walls, and with difficulty obtaining their lawful subsistence by the help of bayonets—such a Church on our principles could not, we must own, be defended. We should say that the State which allied itself with such a Church postponed the primary end of government to the secondary; and that the consequences had been such as any sagacious observer would have predicted. Neither the primary nor the secondary end is attained. The temporal and spiritual interests of the people suffer alike. The minds of men, instead of being drawn to the Church, are alienated from the State."

The description of the Irish Church in that review held good to the present day. The hon. Member for East Sussex (Colonel Barttelot) had spoken of the friendly feeling of the people of Ireland towards the clergymen of the Established Church; but was not every Englishman who visited Ireland struck by the fact that party spirit entered into everything there? It entered into the municipal elections, into the room of the Boards of Guardians, on to the County Bench, and the Grand Jury room. What was the cause of that? It was because the minority supported by the law were placed in an insulting position in respect of the majority who had not that support. That disintegrated the whole body of society, and instead of finding the judicial axe in Ireland supported by a band of rods firmly bound around it and giving strength to the grasp which held it and adding weight to its fall, it was surrounded by unloosened sticks; in fact, by faggots which blazed into fire and lit up into a blaze when the fire of the incendiary was applied to it. The Protestant Church in Ireland was not a missionary Church, and throughout the world the free Churches had ever been the missionary Churches. In the North of England the free Churches of the Methodists had long been the pioneers of missionary enterprize as compared with the Established Church, which did not, until late years—when urged by the House and the Ecclesiastical Commissioners—become a missionary Church. If the Irish Church was planted as a missionary Church to support English influence it had signally failed. If it had been planted to draw the hearts of the Irish people to England it had failed. If it had been planted to take away the hearts of the Irish people from England and from the English people it had succeeded beyond all praise. There was now very little in Ireland that was different from England except this State Church; and as it caused Ireland to be a source of weakness to them instead of a source of strength, it was time for them to deal with it. It had been said that the feelings of all the Protestants of Ireland would be found with the Established Church in this matter; but he found that, at a large meeting in Belfast, that was not the case with the Presbyterians, and he believed that the Presbyterian ministers in synod assembled had pronounced against the injustice of maintaining the Established Church in Ireland. The Coronation Oath and the Act of Union had been several times referred to; but he would remind hon. Gentlemen on the Ministerial side that in 1833 the present Lord Derby introduced a measure which reduced the number of the Irish Bishops from twenty-two to ten. If it were competent to Parliament to touch one Bishop it might touch any one Bishop, and if any one then every Bishop on the Bench; and if it could touch one of the Bishops it could touch every clergyman of the Established Church in Ireland. There was, therefore, ample precedent for the step before the House. The question had been long a cause of difficulty, and the Resolution before them would enable them to get rid of the difficulty in a satisfactory way. The loyalty of the people of Ireland would be much strengthened by this measure. Feeling that by these Resolutions, if carried, private interests would be preserved, and that they will create peace and harmony, he should cheerfully follow the right hon. Gentleman the Member for South Lancashire into the Lobby.

VISCOUNT ROYSTON said, that in addressing the Committee upon this important question, he trusted they would treat him with leniency, considering that he had only once before trespassed upon their attention. Upon so important a question as that before them, he thought the fullest opportunity ought to be afforded to the representatives of the various classes and interests in that House of expressing their own opinions, as well as those of their respective constituencies. From the first moment of the broaching of this proposition by the right hon. Gentleman, he (Viscount Royston) had endeavoured to make himself fully acquainted with all its bearings. He confessed he could not concur with the charges made against the right hon. Gentleman of inconsistency in this matter, nor could he share in the astonishment which they said they felt at the course which he had adopted. Because the very first time he (Viscount Royston) had attempted to address his constituency—a few years ago—he stated in reference to this question that if the Church in Ireland were ever to be seriously attacked, he believed that the right hon. Gentleman opposite would be the man who would be found to submit the proposition to the House of Commons. He was, therefore, not by any means astonished that the right hon. Gentleman should think it right and proper to propose a Resolution for the disestablishment of the Church in Ireland. The Government were now in a somewhat critical condition. But after the efforts which they had made last year to carry out a measure which they believed to be desired by the country, he thought that they deserved a little more gratitude than had been shown them on that occasion. The right hon. Gentleman the Member for Calne (Mr. Lowe) had said that the right hon. Gentleman the Member for South Lancashire was the man for the hour. Now, in respect to the man, he admitted that no one could be better fitted than the right hon. Gentleman to propose a question of this kind. As to the hour, the supporters of the right hon. Gentleman's scheme pressed that the only plea the Government could urge against the adoption of the Resolutions was that the time was ill chosen. As regarded the disestablishment of the Irish Church, the Government contended that, even admitting that some improvement in the position of that Church was necessary, the present was not the time for considering so great a measure. The time, however, he believed would come—whether in this or the next Session he knew not; that depended very much upon the conduct of hon. Members opposite—when this question must assume the form of an appeal to the country at large, with the view of ascertaining the opinions of the public generally upon it. He spoke advisedly when he said he believed that there was a strong and growing feeling throughout the United Kingdom in regard to the Irish Church. To any person not biassed by other convictions, he frankly admitted that the Irish Church and its Establishment must appear to be a great and gross anomaly. He believed that the hon. Member for South Durham was a true Christian. Whilst differing from him as to some of his views, he (Viscount Royston), as a Churchman and an ardent supporter of the national faith, believed that the Established Church was a great benefit as regarded the general government of the country. He thought, then, that the best thing that could be done was to maintain the old principle of endowment; and thus enable the clergy to support their social position with that respectability becoming their calling, and to discharge their sacred duties with that zeal and ability which had ever characterized the ministers of the Protestant Church. He did not think it at all fair to make this a party question. He did not think it was a party question. It was one involving deep religious feelings, and therefore, being so, it was not fair for hon. Gentlemen opposite to come down to that House for the purpose of bearing hardly upon the Government, whom they knew were in a minority. They came, as it were, holding a pistol at the heads of the Church party, and saying that they must, at the present moment, take up the question of the Church Establishment in Ireland, without permitting them to submit to the country the force and wisdom of their policy. What the upshot of all this was to be he, of course, could not tell. As to the future, if this proposition was ever carried, he had no doubt that the feelings of the country would go with the right hon. Gentleman; because he did not believe upon such a grave question it would be possible for any Minister, whoever he might be, to pass a measure like this without the concurrence of the public at large. What he meant to say was this—that a measure which touched so acutely the religious feelings of Englishmen could only be carried by the general concurrence of the nation. Therefore, if the right hon. Gentleman opposite was determined to pursue that policy which he had indicated by his Resolutions, and if there should be an adverse vote—and he (Viscount Royston) sincerely hoped a division would be taken that night—then he trusted that the right hon. Gentleman would condescend to inform them what course he would take in regard to the Bill which he supposed would follow. In 1799, on the occasion of the Message from the King in regard to the state of Ireland, Mr. Pitt said he was not content that that country should have certain benefits as a part of the British Empire; but he proposed that Ireland should partake of all those blessings which England enjoyed. It would be admitted that it was a great blessing to England to have an Established Church. If they wished, then, in Ireland to legislate for the general benefit of the country as united to England, it was a wrong and false proposition to say that it was necessary to have separate legislation as regarded the Church in that country because the bulk of the population did not profess the faith of such Church. They were all trying, though not as yet with much success, to legislate for the benefit of Ireland. He did not think that the disestablishment of the Church in that country would tend to the advantage of Ireland. The very fact of the members of that Church being in a minority in Ireland was, in his judgment, a strong and sound reason for its maintenance. What was the state of the Presbyterian Church in Scotland? Its endowments in 1755 were valued at £68,514 annually, whereas now they amounted to £190,000 a year. He had been recently in Scotland, and had mixed in a society there in which, politically speaking, he ought not to have been found; but from the inquiries he had made, he was satisfied that the State Church of Scotland was the result of a wise and efficient measure. He could understand the feelings of the Roman Catholics towards the Established Church in Ireland; but for the life of him he could not understand how it could be argued that the panacea for all the suffering and discontent of the people of Ireland was the disendowment of the Protestant Church. He, for one, was unwilling to taunt the right hon. Gentleman opposite with the change of his political opinions. Public men changed their opinions sometimes when they felt that they had good reasons for doing so. He did not think that the interests of the country could be damaged by such changes. He looked forward to some years as a Member of that House, and expected to learn wisdom as well as experience from the utterances of great and learned men. He should, therefore, be sorry to bind himself down for ever to certain opinions. For example, some twenty years hence he might be exposed to the remark of a person saying that though he had formerly advocated the continuance of the Church in Ireland, with its establishment and endowments, he was then expressing the opinion that the same Church should be disestablished and disallowed. He could readily imagine that at least twenty-five years would elapse before they saw the Established Church in Ireland done away with. That, at all events, was some consolation for those who thought as he did. There was nothing so likely to give solidity to a great act as great thought. He believed that this question was now only about to be thought about. He believed—nay, he knew—that amongst the Conservatives of the country this question had not been sufficiently thought about. It was a somewhat new question, which had never before been brought into the House of Commons in the manner in which it was then submitted to their consideration by the right hon. Gentleman, the Member for South Lancashire, and had never until then been fostered by the cry of men of such distinguished ability as he saw before him. The right hon. Gentleman, the Member for South Lancashire held a great position in the country, and consequently everything emanating from him deserved the gravest consideration. Under this aspect they were bound to view this all-absorbing question. How, then, were they to account for the extraordinary apathy which existed amongst the friends and supporters of the Church Establishment? The right hon. Gentleman's Resolutions were supported by large meetings in various parts of the country. They were told that crowded meetings had been held at the Tabernacle of Mr. Spurgeon and at different halls in the kingdom. The proposition of the right hon. Gentleman was no doubt supported by demagogues and all those who lived by spouting from platforms; but he denied that those meetings represented the opinions of the general population on this subject. He did not not believe that the course of legislation upon this subject could be so rapid as to force them to swallow the bitter pill prepared for them by the right hon. Gentleman opposite before they were able to judge of its effects. It appeared to him that the sooner the question was submitted to the judgment of the public the better, and it was only fair and just that every facility should be given for ascertaining the opinion of the people of the United Kingdom upon this grave and momentous subject. He thought it right that the House of Commons should raise obstacles to the passing of Resolutions such as those before the House. He would say, "Pause in your rapid legislation." The Resolutions were placed on the table at a time when the Government were engaged with Reform Bills and other important measures. Did hon. Gentlemen opposite want to have a hand, after all, in the Reform question? Did they want to settle the Boundary Bill? Did they want to be in power at that critical moment when the dissolution came? He did not join in the accusation that had been so often thrown in their teeth—that they merely wished to displace the present Government. That was a sort of low "chaff" which was unworthy of the House. Last night a right hon. Gentleman opposite (Mr. Horsman) addressed the House at great length; but did he adduce any argument to show the advantage of disendowment? No, he did nothing but make a personal attack upon the Government. He really must quarrel with the right hon. Gentleman for the language he used. Positively he spent an hour and a half in simply trying to irritate the charming good temper of his excellent Friend the Secretary of State for Home affairs. He (Viscount Royston) naturally looked up to Members of such eminence for lessons in Parliamentary decorum; but he was astonished at the language which was used to some extent, he must admit, on both sides of the House, but chiefly on that of the Opposition. The Government were told, forsooth, that they were courting defeat. Well, what else could they do, when they had taken Office with a minority of 60? And yet, by the extraordinary tact, wisdom, and good-nature of the right hon. Gentleman the First Minister, the country had been benefited by a Reform Bill. [*Laughter.*] That laugh explains more fully than words the feeling of hon. Gentlemen opposite with regard to the Reform Bill. What was it that the Opposition wanted? He could tell them. They wanted the Conservatives to do their dirty work for them. The Government had carried a measure which the Opposition believed would be a benefit to the country. It was said, indeed, that they had done it only from an interested motive; but such an imputation could only proceed from a mind that he should be sorry to have in his body. The Government had been defeated once, and no doubt would be defeated again. If, however, the House wanted to get rid of them, why not propose a Resolution stating that it had not the smallest confidence in them? That was what the hon. Member for Birmingham (Mr. Bright) said in his Tabernacle speech. He said, "The Government are not worth having — turn them out." Well, turn them out. For his own part, he was not certain that if they they were turned out they would not be in a better position. [*Laughter.*] This question is too grave to be treated by laughter or jest. If they held the Irish Church to be rubbish, it was useless to think of keeping up Church Establishments in England and in Scotland. The Churches might not suffer from the disendowment, but the State might. He said, "Remove anomalies." He said, "Educate freely." But let them not educate with any missionary object—he hated the word missionary. Why take away the Grant to Maynooth and the *Regium Donum?* He never heard a-word against the Church as a spiritual body; and by passing the Resolutions the House would be throwing itself into an abyss, the bottom of which they probably might never reach. [*Laughter.*] That is perfectly possible—because it may be an abyss so deep, that death might come before the bottom be reached. He believed that the right hon. Gentleman will be content with simply establishing the principle of disendowment this year; for he did not believe that the right hon. Gentleman has mercenary views; and those absurd, vague charges made against him by infatuated writers, in even more infatuated portions of the Press—had no foundation. It is likely that, on this question, the Government will again be in a minority; but is that to be accepted as an ignominious defeat? If it means that—he was speaking without knowing what course would be pursued by the Government, and supposed he should not commit himself—but if it means that, we should naturally say, "The only chance we can have as a party is to go to the constituencies." Nothing would give him greater pleasure than to go to his constituents—although certainly his last visit was not quite so pleasant or so cordial as one naturally expects. But he knew what the feeling of his constituents was on this subject, and, in fact, nothing but the pressure of his constituents would have made him speak before the Committee to-night. [*Laughter*]. The hon. and learned Member for Tiverton (Mr. Denman) seems to be excessively jocose to-night. No doubt he is going to occupy the attention of the Committee—and he is always excessively instructive and amusing when he delivers those learned sentences which he knows so well how to command; but he (Viscount Royston) did not see that he had not quite as much right to trouble the Committee as the hon. and learned Gentleman. In this country our Government, our legislation, our constituencies, our Church were all made up of anomalies. Lord Macaulay said that from the pole to the equator such an anomaly as the Irish Church did not exist. But although, as he (Viscount Royston) admitted, the Irish Church was an anomaly, that was no reason why we should do away with it. He said, "Treat the people of Ireland as they treated the people of England and of Scotland," and by such a policy they would promote the interest of good government.

MR. BAGWELL said, the hon. and gallant Gentleman who commenced the debate (Colonel Barttelot) had spoken of himself as having been much in Ireland; but if he had not the fullest reliance on what proceeded from him he should be apt to suppose that his statement was a romance, since the account given by the hon. and gallant Gentleman was so utterly unlike the reality. He (Mr. Bagwell) congratulated the noble Lord (Viscount Royston) on introducing, if not much novelty into the debate, at least a very novel mode of stating things to the House. When tithes were paid in kind, and murders and riots and all kinds of positive conditions of disorganization prevailed, the universal opinion of the people of Ireland was that it was unjust to the people. At this advanced period of the debate it would be very hard to say anything new. Still, he hoped he might be able to say something that might be true. Had any Gentleman on either side of the House ventured to say that if he were establishing a new state of things in Ireland he would establish the Irish Church as it at present existed? No one had ventured to say it, or to write it, aye, or to think it. The great argument in favour of the Irish Church was that it had existed for 300 years. But this was at the same time its strongest condemnation. Tipperary 200 years ago was denuded of its native population, which was entirely Protestant; and in the old leases there was a penalty of five times the rent if any house was inhabited by Papists. He had hundreds of such leases which had once been granted on his estate. Yet what was the case now? Tipperary was the most Catholic part of Ireland, the seat of a cathedral and of a monastic institution. And yet they were told that the Irish Church had spread Protestantism. He spoke as a Protestant when he said that he took issue on that point. It was true that he represented a Catholic constituency; but they thought no worse of him for being a Protestant. The time had arrived when Protestants must look the question in the face. If the Protestants of Ireland wished to preserve their form of religion, they must do by themselves what the State had hitherto done for them to their detriment; and he believed that, when placed on an equality with their Roman Catholic fellow-countrymen, they would be found equally zealous with them in supporting their own religion; and there would be an end to the acerbity which now existed, and which arose out of the Protestant ascendancy. The only objection he had to the Resolution before the Committee was that it was not the Preamble of a Bill. As the Protestants of Ireland had fully made up their minds to the disendowment and disestablishment of their Church ["No!"]—as they had made up their minds to that which was inevitable—the change would be brought into complete operation soon, so that the system might not be left to die out by slow degrees, as it were by a process of inanition occupying perhaps seventy years. That was a position to which they ought not to be subjected. A plan should be introduced at once, placing them immediately under the voluntary system. Let the members of the Irish Church put their hands in their pockets on behalf of their worship; let them get rid of the feeling of superiority they entertained towards Dissenters, and work together with them for the Protestant cause; and he firmly believed that Protestantism in Ireland would prosper. He trusted there would be no attempt to continue small and paltry endowments. The £40,000 annually granted by the State to the Presbyterians was really prejudicial to their religion; and a Presbyterian minister had told him that the miserable sum of £59 which he received from the Government was a far greater injury to him, even in a pecuniary point of view, than many people could suppose. He thought, however, that the churches—the vast majority of which had been built within the last 100 years, and which were essentially proper places for Protestant worship, being small and otherwise unfit for the use of the Roman Catholics—ought to be left in the hands of the present possessors, as long as they were able to keep them in repair. It would be a great outrage, and it would produce much ill-blood in Ireland, to transfer those buildings to any other body whatever; and the same remark would apply to the parsonage houses. He did not believe that any portion of the Irish people wished to deprive the Protestants of their churches and houses. What was really required was, perfect equality in religious matters; and let the Protestants show, by devotion, morality, and loyalty, that they were determined to maintain their position in Ireland; while at the same time a grievance was removed which had embittered the feelings of the great mass of the people for centuries.

Mr. VANCE said, that he had been lately in Ireland, and had studied the current of popular feeling; and he believed that, though the Roman Catholics would vote for the disestablishment of the Protestant Church, they were really very indifferent as to such a measure, unless it were the pioneer to fixity of tenure and a repeal of the Union. The Protestant population naturally felt aggrieved at the House having taken so hasty a step without awaiting the result of the important inquiry which was now going on. The numerous meetings against disestablishment that had taken place in Ireland were a proof of the dislike entertained for the proposal by the Protestants. The effect of disestablishment and disendowment would be to place the Protestant Church in a position not of equality with the Roman Catholic Church, but of inferiority to it; for the patronage was now directly or indirectly vested in the Crown, and its supremacy secured uniformity of doctrine and ritual; whereas if this measure passed there would be nothing to prevent the clergy from drifting into ritualistic or other extremes. The Roman Catholic Church, on the contrary, had a central authority at Rome. The Protestant clergy—2,200 in number, with an average income of £175—were necessarily resident, and formed an invaluable link between the yeomanry and the landowners, the withdrawal of which would greatly intensify the evils of absenteeism. The Protestant population, moreover of the South and West would be unable, scattered as they were, to maintain the fabrics, or support their clergy in a becoming manner. The churches, indeed, had already been claimed for the Roman Catholics by *The Freeman's Journal*, though some of them had lately been restored or erected by private munificence on the faith of the endowments being retained. As to the *Regium Donum*, Lord Dufferin had undertaken to pay out of his own pocket the quota received by ministers on his estates; but the Presbyterians were too independent and magnanimous to be pensioners on the landlords and thus to barter their independence. It would be only just and reasonable to double the present grant from the State, trusting to their congregations for the remainder of their stipends; but if State aid were withdrawn, they would wish to rely altogether on the voluntary principle. He denied that Ireland was at present a Roman Catholic country; for, though the majority of the peasants and small farmers were of that faith, this was not the case with other classes; but it would become so if a Bill founded on these Resolutions was passed. He thought the right hon. Gentleman the Member for South Lancashire ought to have given a more definite outline of his plan; but since one section of his supporters favoured a certain amount of endowments, while another section insisted on the voluntary principle, he doubtless found it difficult to satisfy both of them. Sons of the first families and some of the most intellectual men in the country now belonged to the Protestant Church, and, through their refinement and unostentatious piety, exercised a most beneficial influence; but he feared that disestablishment would lead to an inferior class of clergy, who, altogether dependent on eleemosynary support, would be obliged to conform to the caprices of their congregations. It could not for a moment be supposed that they could disestablish the Church in Ireland without touching the Churches in England and Scotland. At an influential meeting of Nonconformists at Liverpool it was resolved, if these Resolutions succeeded, to agitate to abolish the Established Church in Wales; and the *Nonconformist* newspaper said, that the Irish Church question would not be finally disposed of before the public mind would be prepared to entertain proposals with respect to the Scotch Kirk and the Church of England. In the South of Ireland there was a proverb which was as old as the time of the Spanish Armada, and which was in these words—"England's weakness is Ireland's opportunity." In other parts it was couched in this form—

> "He who would England win
> With Ireland must begin."

If they disestablished the Church in Ireland they must soon act in England on the principle of leaving all religions to voluntary support. No doubt Parliament was omnipotent. It could break contracts and could violate the rights of property; but there was always a Nemesis for such wrongs. They might begin by sacrificing ecclesiastical property; but they would continue by plundering corporations and trustees, and in the end they would interfere with individual rights. The present vague Resolutions would not avail those who supported them; but if they should pass a Bill carrying them into effect, then he had no hesitation in saying that private property would no longer be secure.

Mr. DENMAN: Sir, I am not one of those who, like the noble Lord the Member for Cambridgeshire (Viscount Royston) are "just beginning to think" about the Irish Church. Some thirty years ago I was induced to think of it by hearing its total condemnation from the lips of one from whom all my most cherished political convictions were derived. I soon came to the conclusion, on inquiry and inspection, that the Established Church in Ireland was an institution which ought to have ceased to exist many years ago. The grounds of this conviction were, and are, deep and solid. With me it is no matter of detail. I firmly and sincerely believe that to keep up that Establishment under the circumstances existing in Ireland is a violation of the first principles of justice; that it is a departure from the great commandment of Christianity, which bids us to do to others as we would be done by; that it is a cause of weakness and not of strength to Protestantism, and a stumbling-block in the path of evangelization. This, Sir, being my severe conviction, I own my regret that the arguments which have been brought forward in its favour, and some of those for its disestablishment, instead of being based upon considerations of right, justice, or expediency, have been mainly composed of criminations and recriminations bandied about from side to side of the House. Perhaps, Sir, so far as the arguments of our opponents were concerned this was inevitable; for it is indeed difficult to understand how anyone, except under the influence of an intellect obfuscated by the mists of party spirit, can stand up in this House, at this time of day, and assert that the Irish Church as a State-endowed Establishment ought any longer to be maintained. Sir, I cannot boast of that ignorance of Ireland so candidly confessed by the noble Lord the First Commissioner of Works (Lord John Manners). I have travelled and visited to some extent on more than one occasion in Ireland. More than twenty years ago, judging from the evidence of my own senses, I came to the conclusion that it was an incubus upon the Irish people. Am I then, Sir, to be blamed if, when the greatest statesman of his day boldly and honestly comes forward to do that which ought to have been done long ago—am I to be deterred by taunts and recriminations from giving him my hearty support? You ask why, if this question is so important, the party to which I belong has not dealt with it long ago? But you know full well that vested interests, and ignorance and prejudice, and a love of showing the power of your domination, have been too strong for the boldest statesmen to grapple with. You know that by these agencies the question has been hopelessly shelved for more than thirty years. Now, at length, the time has happily come when it can be dealt with upon its merits. and according to its merits it shall be dealt with by me. Sir, I maintain that the maintenance of an Established Church consisting of a small minority of the people of Ireland, against the wishes and in spite of the feelings of the majority, is entirely indefensible in principle and pernicious in practice. I might content myself with quoting the words of the noble Lord the Member for Cambridgeshire to-night, who said that, "To an unbiassed mind the Irish Church would appear to be a grave and gross anomaly." But, Sir, I prefer to quote a witness of still greater weight. What said Sir Robert Peel as long ago as 1813? On Mr. Grattan's moving the second reading of a Bill for removing the civil and military disqualifications under which his Majesty's Roman Catholic subjects laboured, Mr. Peel said this—

> "When Parliament had declared that there was no reason why one religion should have any preference over the other, was it to be supposed that the Catholics of Ireland would consent willingly to maintain the clergy of a religion not professed by more than one-fifth of the inhabitants of that country? How could they—when it was admitted that there were 4,000,000 of Catholics and only 800,000 Protestants—hope to maintain the Protestant ascendancy?"—[1 *Hansard*, xxvi. 168.]

No doubt Sir Robert Peel was all for maintaining the Protestant ascendancy; but it is clear that he felt that the Established Church could only be maintained as part of that ascendancy, and that it would become entirely indefensible as soon as we should admit our Catholic brethren to a like citizenship with ourselves. But the evidence of Sir Robert Peel does not stop here. Again, in 1817, Mr. Grattan made a Motion on the subject of the Roman Catholic claims. Again Sir Robert Peel (then Mr. Peel) made a long and eloquent speech; and now hear his view of the justice of the Irish Establishment. The extract is somewhat long; but it is so pertinent that the House will permit me to read it. Mr. Peel said—

> "You propose to open to the Catholics Parliament, and to invest them with political power; to make them capable of acting in the highest offices of the State, and of being the responsible advisers of the Crown,"—[1 *Hansard*, xxxvi. 418.]

And after speaking of their progress in wealth and education, he proceeds—

> "Do you then mean *bonâ fide* to give them in Ireland the practical advantages of the eligibility you propose to confer upon them?"

Yes, Sir, he speaks of what follows as the "practical advantages" of emancipation, and immediately goes on to treat, as one of the greatest of those advantages, emancipation from the grievance of the Protestant Established Church. He continues—

> "If you do, can you believe that they (the Catholics) will or can remain contented with the limits you assign to them? Do you think that when they constitute, as they must do—not this year or the next, but in the natural and therefore certain order of things—by far the most powerful body in Ireland—the body most controlling and directing the government of it, do you think, I say, that they will view with satisfaction the state of your Church or their own? Do you think that, if they are constituted like other men, if they have organs, senses, affections, passions like yourselves —if they are, as no doubt they are, sincere and zealous professors of that religious faith to which they belong; if they believe your 'intrusive Church' to have usurped the temporalities which it possesses, do you think that they will not aspire to the re-establishment of their own Church in all its ancient splendour? Is it not natural that they should? If I argue even from my own feelings, if I place myself in their situation, I answer that it is natural."

Happily, Sir, there is no question now of of the re-establishment of the Roman Catholic Church, but in all other respects this opinion of Mr. Peel must be admitted to be sound and true. Well, Sir, again in 1823 in a debate on the Irish Insurrection Act, I find Sir Robert Peel saying—

> "If the Protestant religion was to be maintained in Ireland as the religion of the State, then Catholic emancipation would not be the basis of tranquillity."—[2 *Hansard*, ix. 236.]

And why, Sir? Obviously because he knew that the Irish are men constituted like other men, that they have organs, senses, affections, and passions like ourselves, and being so constituted, it would be impossible for them to submit without murmur to so monstrous an anomaly as the State-endowed and Established Church of a minority consisting of an eighth part of the nation. Sir, I think I have proved that this Church of Ireland is not founded upon justice. I think I have made out that it is a violation of the great rule of Christian charity. Let me further show that it is not founded on expediency. Again I will call Sir Robert Peel as my witness. Catholic emancipation having been carried in 1829, what said Sir Robert Peel of the Irish Church in 1833? See the testimony he bore to its success! On May 6th in that year, in opposing the second reading of the Church Temporalities Act, he said, "He wanted to see the spreading of the Reformation in Ireland, which he feared as yet had scarcely commenced." Yes, Sir! "scarcely commenced" after—nay, was it not in consequence of—the three centuries of existence of this unwarrantable State Church making Protestantism hateful in the eyes of the people? And since 1833 this Church has made no progress whatever. There is no case for it—no want of it. How many of its churches are mere chapels for some great lord or squire and his servants, who might well be accommodated in the hall or dining rooms of the great man's house? How many of the members of this Church are among the residents of a few great towns? How many of the whole number of our Protestants of Ireland are members of other denominations to whom an Episcopal church is as odious as a Protestant church is to the Catholics? A Church bolstered up with mere money and odious to the great bulk of the population cannot, by the very conditions of its nature, be a missionary Church. I believe, Sir, that far more progress has been made in the evangelization of Ireland by a few clergy lately sent over from this country by voluntary associations, than has ever been effected by the Established Church since the Reformation. So much for the argument that it is a missionary Church. Then, Sir, we are told that this is but a sentimental grievance. Now I look upon this as a cruel and heartless argument. Is a grievance less real because it is sentimental? A gross and malicious libel, social persecution and ostracism are sentimental grievances—but they are as intolerable and may be more unfeeling and unchristian than a blow or any other similar wrong. Some excellent people think that there is something like a treaty in force which we should violate by disestablishing the Irish Church. Sir, there is no treaty but an Act of Parliament passed at a time when the Catholics of England and Ireland were excluded from the Legislature, and there can be no Act of Parliament—as my hon. and learned Friend the Member for Colchester (Mr. Karslake) candidly and properly admits—which is not open to repeal. The same is also admitted of the Coronation Oath by him, and by every statesman or lawyer who has ever deeply considered the subject. My hon. Colleague (Mr. Walrond) told us the other night that he would rather adopt the "Pantheistic" system, as it has been called, of the Government than the "atheistic" system proposed by these Resolutions. These are fine words, Sir, but I cannot for the life of me see how it is "atheistic" to resolve that the Church of a minority of the nation is to be no longer endowed or favoured by the State. My hon. Colleague has certainly shown that he knows the difference between "Pan" and "A" and that he understands the force of the *alpha privativa* which we used to study in our Greek grammar; but his argument seems to me to come to nothing. You do not make a thing "atheistic" by calling it by that name, So far as the "Pantheistic" system has been described in this debate, it appears to me to be one which will meet with no support. In my judgment that which my hon. Colleague calls an "atheistic" measure will give Protestantism a better chance in Ireland than it has ever yet enjoyed. Such are some of the objections made to the passing of this Resolution. There are others in the nature of mere excuses and dilatory pleas. One hon. and gallant Gentleman to-night said that we only proceed with this measure because it is a "popular cry." Sir, it is a popular cry. But why? Because it is one founded on truth and justice, and therefore I heartily hope it may prevail. What matters it to me whether the cry be popular or unpopular? I am here to do my duty, and if a Resolution is founded on high and noble principles, am I to refrain from voting for them by considerations like these? Am I not rather to rejoice that at length I have so good an opportunity of doing that which I believe to be just and good. One more word, Sir. As an attached member of the Church of England I must protest against one main argument of Gentlemen opposite. I rejoice to say they do not all use it, but almost without exception those of them who sit on the Treasury Bench—those Gentlemen who set themselves up as the champions of the Church of England—use this argument. They say, "Do not disestablish the Irish Church, for if you do, down goes the English Church also." Now, Sir, I assert that those who use this argument are the worst traitors to that Establishment which they profess to defend. In order to gain a party object they do not scruple to furnish future arguments for the Liberation Society—a society to which I do not belong, and with which I do not agree. Sir, I repudiate this argument. I think it is reckless and unsound. I believe that the Church of England and the Church of Ireland—or the Church of England in Ireland, if you please to call it so—it is a mere name—stand on totally different foundations. The one is what I have described — the sooner it is abolished the better; the other, with all its faults—and I do not deny that it has faults—is strong in the affections of her people—supported by a majority of the nation—a great and beneficent institution which — when the Church in Ireland is disestablished—will, I hope and believe, flourish among us for many and many a year.

Colonel HOGG said, that the hon. and learned Gentleman who had just addressed the House had described himself as a friend of the Established Church and a friend of the Protestant religion. All he could say was "Save me from having friends." The hon. and learned Gentleman told them that the Irish Church was a violation of the principles of Christianity, that it was absurd, that it was wretched, and he likewise informed them that what he meant by disestablishment was destruction. At one dash the hon. and learned Gentleman took off 200,000 of the Protestant inhabitants of Ireland and then talked of the remainder. He had treated the House to a disquisition on Greek grammar and the repeal of the Union. He could not argue about Greek grammar, and the repeal of the Union was not before the House. He had in vain waited to hear a case made out for the Resolutions of the right hon. Gentleman. On the previous evening he had expected to hear a good argument for the Roman Catholic Church in Ireland from the hon. Member for Tralee (The O'Donoghue); but having listened to that hon. Gentleman, with the attention and pleasure which his speeches always gave rise to, he had heard nothing from him but what he must call a wild cry for justice. One might have supposed that the hon. Member came from some land of slaves and not from a country which possessed the same laws as those enjoyed by England. They were told that the disestablishment of the Irish Church would be a step to conciliation, but the House had a right to ask how many of those steps to conciliation would they be required to take. He was one of those who regarded it as a great misfortune that questions like this should be brought forward in the manner it had been without due inquiry, not upon its merits, but to suit the exigencies of party strife, and for the purpose of uniting the disintegrated fragments of the Liberal party. He regarded as an unhallowed act the attempt which was being made to sever from religious purposes that which had so long been devoted to religion. It had been said that the Irish Church could not be defended on its merits. He was of a different opinion, and was quite prepared to prove she had fulfilled her mission, and could be defended on her merits. To the assertion that the Irish Church was imperfect he would reply there was no earthly institution without blot or stain. The Irish Church was the National Church. It was an integral part of the United Church of England and Ireland. If they destroyed it, were they prepared to set up in its stead a Church acknowledging a foreign potentate as its head? If the Irish Church is once destroyed attacks will be speedily made on the Church in Wales and England, and preparations are now being made for this purpose. As regards the manner the Irish clergy fulfil their duties, their enemies allow that they are zealous and hardworking, beloved by their own flocks, and respected by those of a different faith. The two Churches could exist in harmony were it not for ecclesiastical as well as political fire-brands, who will not allow their fellow-subjects to live in peace and quietness, worshipping God according to the dictates of their conscience. The property of the Irish Church is two-fold, tithe and glebe lands, and her rights to these are founded on 300 years uninterrupted possession, allowed valid by Roman Catholics themselves, and confirmed by the Act of Union, the Act of Emancipation, and by declarations and oaths of the most sacred character. The tithes amount to about £400,000 a year, of which £356,000 was paid by the Protestants, and £45,000 by Roman Catholic landowners; to the latter the payment of this sum can be no grievance, for it is a rent charge to which the land has always been subject, besides, they receive full compensation by the grant to Maynooth. As regards glebe lands three-fourths are situated in Armagh, and were granted to the Irish Church in the 17th century. The peasantry of Ireland did not feel that the Irish Church was any grievance, and if that Church were disendowed to-morrow not one of them would be a whit the better for the change; on the contrary, they would lose many kind friends and considerate neighbours. If there was no necessity for further inquiry with regard to the Irish Church, why had Earl Russell applied for a Commission to inquire into the subject? The proposal to disestablish the Irish Church was brought forward not for the purpose of benefiting that country, but to meet the exigencies of a disunited party. The friends of that Church were willing and even anxious to remedy all its abuses and to adapt it to the spirit of the age, whereas hon. Members on the opposite side of the House desire, not its reform, but its absolute destruction. The right hon. Member for South Lancashire professed to deal with the question in a moderate manner, and no doubt he was quite sincere; but when he advocated that moderation, there was an ominous silence on the Benches below the Gangway. The fear is that he who has been impelled to forsake the cherished convictions of his youth, as well as the opinions of his maturer years, may be propelled to make further sacrifices on Radical altars. The Resolutions before the House would unsettle everything and would settle nothing; and if they were carried the result would be that sees would be left without Bishops, flocks without pastors, the Church would be pulled down without anything being raised in its stead, while there would be a general scramble for its revenues. Was it for such a purpose as this that men like Primates Boulter and Robinson, and many others, left large sums to the Protestant Establishment? Was it for this that in the last ten years private individuals had paid £101,000 for building churches, besides spending large sums on the cathedrals of Armagh, Kilkenny, Tuam, Cork, and Dublin? The Roman Catholics disclaimed an intention to touch any portion of those revenues; but there was great discrepancy between the promises, the pledges, and the oaths made by those who led the Roman Catholic party forty years ago and the proceedings of the present day. Sir Robert Peel—whose authority the right hon. Gentleman the Member for South Lancashire would acknowledge—speaking on the subject of the Irish Church, said—

> "An attack on the Established Church in Ireland is a necessary preliminary to an attack on the Established Church in England. If you wish to deal with the endowments of the Irish Church you must enter into a wider field and deal with all the endowments given by the State."

The Duke of Wellington said—

> "I entreat you to listen to none of these petitions or speeches which tend to the injury or the destruction of the Church in Ireland. Do what may be necessary; do what it may be proper to do in order to render that Church more beneficial to the people of that country; but I entreat you to adhere strictly, in spirit, and according to the letter to the compact you have made, and not permit it to be supposed in any quarter whatever that you entertain the most distant intention of departing, in the slightest degree, from that arrangement."—[3 *Hansard*, lxxiii. 1171.]

With such authorities as those to which he had referred to support him, he could not be wrong in asking the House to pause before entering into a reckless career, which must involve the well-being and the stability of this country. In conclusion, he could only add he should feel it his duty on all occasions to vote against the Resolutions, believing them to be inopportune as to time, unjust in their proposals, and certain to prove a brand of discord, instead of a message of peace, to our sister isle. If unhappily they should be passed he believed they would sow the seeds of enmity and ill-will, the bitter fruits of which would be reaped in sorrow by generations yet unborn.

The MARQUESS OF HARTINGTON: The speeches to which we have listened this evening have, perhaps, touched more nearly the points before the Committee and the Resolutions of my right hon. Friend than those more amusing and exciting speeches which were addressed to us towards the close of last night's debate. Still, the criticisms passed to-night upon the Resolutions did not appear to me to be more relevant to the real question at issue than were the personal discussions of last night. The right hon. Gentleman the Secretary for the Colonies (Mr. Adderley) inveighed at great length against the vagueness and indefiniteness of the Resolutions. Is that the ground on which the Members from Ireland oppose the Resolutions? If you tell me that if we will only make the Resolutions definite—if we will only inform the House in what manner and degree we propose to disestablish and disendow the Irish Church, you will be prepared to argue the question as one of detail, the difference between us will not long prevail. If we are agreed that it is not expedient or just that the Establishment of the Protestant episcopal religion should remain the religion of the State, if we are agreed that some great disendowment of the revenues of the Church should take place, the difference between us is small indeed. But while we are taunted with the indefiniteness of our Resolutions, while we are told that they have been framed merely to meet differences of opinion, let me ask, is there no difference of opinion on the other side? Did the speech of the noble Lord the Secretary for Ireland (the Earl of Mayo) contain a programme of policy for Ireland? The noble Lord the First Commissioner (Lord John Manners) said the question now was the policy of the Government as opposed to the policy of my right hon. Friend. The Member for West Sussex (Colonel Barttelot) entirely threw over the proposals made in the speech of the noble Lord. He admitted that the issue before the House was clear; that it was disestablishment and disendowment as opposed to the existing state of things. We have a right to ask whether the speech of the noble Lord the First Commissioner or the noble Lord the Secretary for Ireland contained the programme of the Ministerial policy, or whether the Government entertain the opinions of those who sit behind them, and who oppose the Resolutions on the ground that things should be maintained as they are? Passing from the speeches of to-night, I would refer very shortly to the speech made last night by my right hon. and gallant Friend the Member for Huntingdon (General Peel). Although I must admit that the personalities into which we went last night were somewhat irrelevant, yet the blame of beginning the discussion must be attributed to the right hon. and gallant Gentleman. From the security of that castle in which he dwells—in which it appears there are so few glass windows that no light has been permitted to enter it, or, if any, only "the light of other days" he contrived to throw stones with considerable force and vigour, and I must admit that the amusement was continued with equal force and vigour by the right hon. Member for Stroud (Mr. Horsman). But it is not for the purpose of continuing the personal part of the question that I refer to the speech of my right hon. and gallant Friend. I want to refer to it, because I think he put in the shortest, simplest, and most direct way his argument on this question and the essence of the arguments used by other Members. He said that—

> "The disestablishment of the Church is the severance of all connection between the Church and the State—it is a refusal on the part of the State to recognize the Protestant Church in Ireland."

And he went on—

> "You may dissolve the Union if you please, but as long as that Union exists there is but one Church; and if you dissolve the union between Church and State in Ireland the dissolution of the union between Church and State will follow as a necessary consequence in England also."—[3 *Hansard*, cxci. 1389.]

That was the argument of the right hon. Gentleman. That, also, was the argument of the noble Lord the Member for Leicestershire and of most hon. Gentlemen who have spoken on the other side of the House. Now, what I want to learn is this. That argument, if sound, appears to lead in the most direct and irresistible manner to a conclusion in favour of the repeal of the Union. You, who use that argument put the strongest argument you can put in the mouths of the Fenians and those who would repeal the Union between the two countries. You do not say that the Established Church of Ireland is good for that country. You say it is good for England and Scotland, and therefore you would not meddle with it, because if you weaken it in Ireland you weaken it in England and Scotland also. If that be so, it would still be so if the Church of Ireland were ten times the grievance it is. To those who advocate repeal—to every Irish patriot who thinks it his first duty to secure the peace and happiness of his fellow-subjects the argument is irresistible—the Established Church in Ireland is a grievance which cannot be removed because Ireland is united to England, and the consequence irresistibly follows that the Union between England and Ireland ought, if possible to be dissolved. But I think the argument is not sound. In my opinion, the connection between the Established Church in England and the Established Church in Ireland is verbal and statutory, not vital. Why should the fall of the Church in Ireland be followed by the fall of the Church in England? Not as a necessary consequence. It can only fall if you betray a consciousness, a doubt, which I think not well founded, of a weakness in your own case. If you refuse to consider the case of the Irish Church, it is because you are afraid of having the same questions put as to the English Church. What strength can the English Establishment desire from the Irish Church? Precisely the same assistance that a healthy tree derives from a rotten branch. The Church of Ireland is said by hon. Gentlemen opposite to be perfectly defensible; but they have not entered into detailed arguments to prove that position. I think it cannot be maintained that the Establishment in Ireland fulfils any of those good purposes for which it was created, and it is liable to all the attacks which can be made on any Establishment. It cannot be said that it does much for the spread of religious truth, or to educate the people, or in providing religious services for the poor. On the other hand, it presents the spectacle of a numerous clergy and empty churches, of a State not only taking on itself to decide what is religious truth, but so deciding in direct opposition to the views and opinions of the great majority of its subjects; it is not only unsympathetic with the body of the people, but it is, in consequence of historical associations, the visible sign and badge of social inferiority. In this state of things the defenders of the Church have exercised a wise discretion in founding their defence chiefly on the difficulties and obstacles that exist in the way of its removal. That such difficulties and obstacles exist I am not prepared to deny—if they did not it would not have existed so long. Such a denial would tend to the condemnation not only of Parliament but of the party of which I am a very humble member. It is, indeed, our main if not our only excuse. The difficulties which stand in the way of removing this institution are our main if not our only excuse for past years of inaction; but believing, as we do now, that public attention has been thoroughly aroused on this subject, believing that the moment is favourable for its settlement, and believing also that the necessity for a settlement of this question is greater and more urgent than it has been at any previous time—["Oh, oh!"]—I am stating this not as a fact but as a belief—believing, then, in these things, I hope the House will allow me to state why I think some of these difficulties are not so great nor of such importance as is generally attributed to them, and why they ought not to weigh with us to the extent of preventing us from attempting to deal with this question. I did intend to have said something about the difficulty which has been urged in reference to the Act of Union; but I do not think it will be necessary for me to do that, because, as far as I can see, that is a difficulty which has been given up entirely. If technical difficulties do exist, they will be mainly questions for the decision of the lawyers; but I do not believe that even technically any serious difficulties exist. If they do, however, I think we ought to look at the spirit and not at the letter of the Act of Union. I believe that the intention of those who framed the Act of Union between England and Ireland—the intention, also of those statesmen who succeeded them, and the still more earnest intention at the present moment, is that the people of these three kingdoms should indeed and in truth form one kingdom. If it can be shown, as we think it can, that the framers of the Act of Union were not all-wise or far-seeing, and that some provisions in the Act militate against the accomplishment of its main purpose, then it is our duty to attempt to carry out the spirit even if we break the letter of the law. There is another great difficulty which has been urged. It is an argument as to the rights of property, and, as I understand it, two assertions are made by our opponents. It is asserted, in the first place, that we are depriving the members of the Established Church in Ireland of a vested right, by depriving them of the services which they have enjoyed for a great many years of the ministers of their own communion; and, in the second place, it is argued that we are weakening the security of all property by appropriating the estates which belong to the Church. Now, as to the first assertion, I cannot deny that there is a great deal of truth in it. I think it is one which ought to be fairly acknowledged and fairly met. I cannot deny that there is something like that which we are in the habit of calling a vested right; but I think also that there is a very great distinction, which we ought not to overlook, between a right such as this and other rights which we more generally refer to when we speak of vested rights. There is a very great distinction between a vested right such as this, which is a right to something the State has provided for you, and that which you yourselves or your ancestors have provided for you. If a practice and law had been in force in Ireland for 300 years, that the State should build and repair the houses of all the Protestants in that country, I suppose houses would have been bought and property transferred subject to that state of things, and I imagine those who enjoyed that right would have a vested right in its continuance; but I cannot think that in so extreme a case this House would regard it as a right which ought any longer to be maintained, and I doubt very much whether the fact of the owners having had their houses built and repaired for them by the Government during 300 years would be considered to form any ground for their claiming compensation. But it would be a very different thing, and would, in fact, be what we usually mean when we talk of vested rights, if the State were to propose to take away the houses, or in any manner to interfere with private individuals who during that period had themselves built and repaired them. Now, although I admit that there is a vested right of a certain kind involved in this Church question, I think I have shown it is a different kind of right from that which we ordinarily mean when we talk of vested rights, and although this is a consideration which ought not to be overlooked, still in my opinion the question is one of expediency; and it is perfectly competent for the House to consider whether they will allow their respect for a vested right such as this to overweigh and overbalance the great important considerations which lie on the other side. As to the other branch of the argument, that we should weaken the security of property by dealing with the Established Church, I may remark that this is a subject which should be argued and has been argued on both sides of the House by lawyers. On our side of the House there was a very able and convincing argument brought forward on this subject by the hon. and learned Member for Exeter (Mr. Coleridge), and I think that as far as the legal part of the question was concerned, that argument almost exhausted the subject. But even if the arguments were less cogent than I conceive them to be, I could not bring myself to look upon even the rights of property as being so sacred that they should be allowed to interfere with the prosperity of the Empire. In my opinion, the true security for property lies in the conviction of the public mind that it is for the interest of the State, and for the good of all classes of the people that that security should in ordinary cases be maintained. If any agitation should ever arise against the rights of property, it would not be any sacredness of these rights which would protect us; but I believe its real security would be in the general and almost universal conviction that the security of the poor man, with the little he has earned, is exactly the same as the security of the rich man; and, that it is for the interests of all, these rights should be maintained. In my opinion, the security of property is increased, and not diminished, when it can be shown that the revenues of property are usefully expended, that the holders of property do their duty, and that there is a social advantage in the presence of those holders in the country. But in the case of the Irish Church I think none of these conditions will be found. Its revenues are not, in my opinion, usefully expended; for they are expended in maintaining the supremacy of a religion which is not the religion of the people, but is hostile to it. I do not think the presence of those who enjoy the revenues of the Church can be considered as a social advantage to the country, because they bring most vividly and forcibly a sense of injustice to the minds of all their neighbours. Now, if this state of things were entirely altered; if the lands of the Church and the tithe rent-charges were sold; if those who lived on the lands should become, instead of a body of clergy, a body of men belonging to the people and having the same interests and objects that they had; and if the revenues produced by such sale were devoted to any useful purpose, such as the education of the people, then, I think, the security of property in Ireland would be increased and not diminished. In my opinion the owners of property in Ireland have a just cause of complaint against the State. The State has given to them what they did not want—namely, a State Church, which is usually a Church for the landowners as distinct from the great body of the people; but it had not provided for them security either for their lives or for the tranquil possession of their property. The State has arrayed against the landowner a hostile, or, at least, an unfriendly body — almost the whole of his fellow-subjects who are not owners of land. Why, I ask, have the lives of landowners and their agents often been endangered in some parts of Ireland? Why have rents been low and badly paid? Why is it difficult to find industrious and improving tenants? I say because the great mass of the people are hostile in spirit to the owners of property, and because the State, with all its power and with all the severity of its enactments, has not been able to protect the landowners in consequence of that hostility. If this were to be the precursor of other measures for procuring peace and justice for Ireland, the landlords more than any other class in that country, would benefit by the change in the increased security of their lives and property. Whether it will prove a benefit will depend on the answer to the question whether it will be a measure of conciliation. Now, whatever may be the answer to that question, our votes on the Resolution should not be doubtful. I look on the adoption of the Resolution as a measure of justice; and if the worst anticipations of its opponents should be realized, and the Roman Catholics remain dissatisfied, and if, unfortunately, it should be necessary to continue to rule Ireland with a heavy hand, still we owe it to ourselves to leave no grievance unredressed. It is because I wish to see a firm administration of law as well as of conciliatory policy in Ireland that I most earnestly desire that we should place the justice of our whole system of government there beyond dispute. Whether the adoption of the Resolution will prove a measure of conciliation depends almost entirely on the manner in which this discussion is conducted in the House and country. If it is argued, as I hope it will be, on the grounds of justice and expediency, I can scarcely believe that it will not be a message of peace to the Roman Catholics of Ireland. I think some weight should be attached to the declarations of Irish Members in this House —and the speech delivered by the hon. Member for Tralee (The O'Donoghue) last night proves, if additional proof were wanting—that it must be a measure of conciliation. When our Catholic fellow-subjects in that country see that we are at last earnestly setting to work to redress any real grievance under which they suffer, it is not in the nature of things that our efforts should not be followed by a conciliatory result. We are told that this measure will be irritating and insulting to the Protestants of Ireland. Is it, I ask, an insult to the rich minority to desire them to place themselves in the same position as the poor majority of their fellow-subjects? Is it an insult to the Protestants of Ireland to ask them to place themselves in the same position as the Free Kirk Presbyterians of Scotland? I think that there are already signs that this proposal will be received in a far different spirit from that in which it would have been received a few years ago. I think there is reason to hope that the progress of education, of free discussion, and of the principles of religious toleration throughout the country, will do very much to frustrate the efforts of those fanatics who wish to stir up the forgotten embers of religious bigotry and hatred. In my opinion it is no insult to the Protestants of Ireland to ask them at least to discuss this measure with us on the grounds of justice, policy, and expediency. I can admire the strong religious spirit that animates the Protestants of Ireland, and can make allowance for the position in which they are placed; but I ask hon. Gentlemen opposite to discuss this question in a fair spirit. Let them fight this battle with the weapons of a civilized age. There are plenty of men among them full well able to wield the weapons of argument, eloquence, and sarcasm, and we ask them not to resort to the mouldy armoury of religious bigotry and make use of the hateful cry of "No Popery!" But if, on the contrary, we are to be told about combinations between High Church Rituals and Romanists; if we are to be frightened by predictions of dangers worse than foreign conquest; if we are to have insinuated and spread over the land libels of every kind respecting the religion, character, and objects of our Leader, then I admit that there may be ill-blood stirred up before this discussion is concluded; but I hope the House and the country will recollect—as no doubt history will record—that it is not we, but others, who have recourse to such unfair weapons.

Mr. MOWBRAY said, that though the noble Lord the Member for North Lancashire (the Marquess of Hartington) had congratulated the House that there was less of personality in the discussion this evening than on the previous night, and that the arguments had been more addressed to the subject-matter of debate, it was to be regretted that the noble Lord had not himself adhered to that course of proceeding. After indulging in some personalities, good-humouredly, no doubt, against the right hon. Member for Huntingdon (General Peel), the noble Lord, while urging the House to use the weapons of argument, and to cast aside bitterness, had imported into the latter part of his speech the most bitter personality ["No!"] When it was objected that the Resolutions were vague, the noble Lord asked their opponents to meet him in matters of detail. Now he (Mr. Mowbray) was under the impression that objections in detail had been very strongly urged in a previous discussion by the noble Lord the Foreign Secretary, and by the right hon. Gentleman the Secretary for India. The supporters of the Resolution had been been met both on the ground of principle and of detail. Those who were opposed to the Resolution maintained that the proposition of the right hon. Gentleman the Member for South Lancashire was one of a momentous character, and that nothing in legislation for the last forty years could be compared to the importance of the issue therein involved. ["Oh, oh!"] Hon. Members cried "Oh!" but he asked had any great party struggle during the last forty years involved such a momentous issue as the disestablishment of the Irish Church? He maintained that the questions relating to the removal of disabilities from Roman Catholics and Dissenters, to the repeal of the Corn Laws, or to the extension of the suffrage of the people, either in 1832 or 1867, were not at all comparable in importance to the subject now under discussion. This great question touched all the institutions of the country. It touched the Monarchy in its vital principles. The hon. and learned Member for Tiverton (Mr. Denman) sneered at the arguments regarding the Coronation Oath; but ever since there had been a Christian Monarchy in this country, there had existed a close and intimate relation between the Church of England and the State of England. The question was not merely what had prevailed for 300 years since the Reformation, but they must go back for centuries far beyond that. It was the Act of Union to which the Protestants of Ireland and the Legislature of England were parties, and the union of the Churches was a fundamental provision of that Union. The defenders of the Establishment did not for a moment deny the power or competence of Parliament to deal with the question now raised; but they contended that in doing so Parliament raised a very great and large question. Further the hon. and learned Gentleman said that the Coronation Oath only bound the Sovereign as it stood, but that they could alter it. Of course they could; but they were bound in so doing to defend the property of the Church. If they were to do away with the Established Church of Ireland because that Church was not in accordance with the views of the majority of the people of Ireland, how long would they continue the Act of Settlement? Well, they were touching the Crown, but they were touching another institution—the House of Lords. From the earliest period of its existence that august Assembly had consisted of Lords spiritual and Lords temporal, and yet they were about to oust suddenly from their seats in that House those prelates who had hitherto been sent thither from the Irish part of the kingdom. Was not that a constitutional question they were raising? It was, he believed, admitted on all hands that, to a certain extent, they would, by the proposed step, shake the position of the Church of England. Would the right hon. Gentleman deny that? It was denied by many advocates of the proposals; but what was the language they had heard from Mr. Miall? He had told them that if one Establishment went the others would go also—the Church of Ireland, the Church of Wales, the Church of Scotland. The noble Lord the Member for North Lancashire had said that the union of the English and Irish Churches was verbal and not vital; but he (Mr. Mowbray) contended that the principle of Establishment involved in the connection of the United Church was vital, and that the overthrow of that principle in the case of the Church of Ireland would be ultimately fatal to the vitality of the Church of England. This Resolution, moreover, raised great questions as to the rights of property. True, they proposed to respect the rights of existing incumbents, Bishops, and parochial clergymen; but they did not respect the rights of the generations yet unborn, for whose spiritual education the Irish Church property had been amassed. According to the arguments of the noble Lord, the land was to be taken away from the Church, in order that it might be devoted to some useful purpose. He (Mr. Mowbray) did not know whether the noble Lord would consider the spiritual instruction of the people of Ireland a useful purpose. The right hon. Gentleman the Member for South Lancashire was not prepared to go the length of some of his followers. Some of these supporters did not scruple to avow that their intention was to do away with all endowments. Then, again, something had been said by the noble Lord as to the Church being the only badge of conquest remaining in Ireland. But was that really the case? There might be other badges of conquest as well as the Church. There might be castles belonging to noble Dukes, which might remind the Irish people of conquest as much as the Church. [The Marquess of HARTINGTON: I did not mention the badge of conquest.] He appealed to the recollection of those around him; but if the noble Lord did not intend to use the expression, he would not insist as against him on any argument based on it. But again, was the Irish Church to hold the remnant of its property by its old title, or by a new one? If it was to be held by a new title—by a Parliamentary title derived from the right hon. Gentleman the Member for South Lancashire—how long would that title be respected? If the Parliament would not respect a title which had endured for 300 years at least, what respect was likely to be accorded to a title from the right hon. Gentleman the Member for South Lancashire? They were to have not only new endowments, but a new Church—a free Church in a free State—all the creation of the right hon. Gentleman the Member for South Lancashire. But these arguments in detail might be answered by plenty of other arguments in detail respecting the Irish Church. That Church was to be made one with the Church of England—one not tied and fettered by the bonds of an Act of Parliament, but one in full spiritual union and communion with that Church. But what provision would the right hon. Gentleman make to insure identity of doctrine and discipline? Were the Church of England Bishops to be nominated by the Crown, and the Bishops of the Irish Church by a free synod of clergymen and the laity? And what was to become of the Royal supremacy? Was the Queen to be supreme over the Church in England and not supreme in the Protestant Churches in Ireland? Was the Privy Council to be the final Court of Appeal? And what security would the right hon. Gentleman give them that the clergy of the new Church would be equally learned, equally tolerant, and equally accomplished as they were at present? Would they have the same liberty of conscience as they now enjoyed in the Established Church? The colonial Church might be cited by the right hon. Gentleman; but was the present position of the Church in the colonies so entirely satisfactory as to be imitated? These were some of the points of detail which suggested themselves for discussion when the question should reach that stage. Again, what was to become of the surplus funds? Was the £40,000 to go to Maynooth? Was it to go to make up the *Regium Donum* of the Presbyterians? How much was to go to secular education? Some hon. Gentlemen below the Gangway would say a large portion; but was the right hon. Gentleman prepared to go to that extent? These details were important. When they came to settle the matter the questions would arise, what they were to do with the property, how they were to appropriate it, and so forth; and then their difficulties would arise—

> "Concordes animæ nunc, et dum nocte premuntur,
> Heu quantum inter se bellum, si lumina vitæ
> Attigerint, quantas acies stragemque ciebunt."

When the right hon. Member for South Lancashire attained the result of his Motion, and had removed himself to the Ministerial side of the House, would he be prepared to bring in Bills which would be necessary to carry out his Resolutions? They would then, probably, hear the hon. Gentlemen below the Gangway—Dissenters and Roman Catholics—protesting against the legislation which he proposed. In arguing that the proposed measure would conciliate Ireland, the right hon. Member disregarded the loyal band of men who had been our principal supporters in that country for years past, and depreciated the services of the Irish Church, which, by the piety and exemplary lives of its ministers, had rendered signal service—a fact attested by the present condition of the North of Ireland; and in the South of Ireland its missionaries had met with very great success. As to conciliation, that was difficult; for the views of the noble Lord the Member for North Lancashire would offend the supporters of the Church in Ireland. He said the non-adoption of his views would be a strong argument in favour of the repeal of the Union—language held by the hon. Member for Bradford (Mr. W. E. Forster), it an address to his constituents at Easter; and from this remarkable coincidence of opinion it was to be inferred that the programme of the Liberal Leaders was this: in the Irish Church failed to resuscitate the Liberal party; if it was found divided when the work of destruction gave place to that of construction, then the repeal of the Union was to be the next rallying cry. He (Mr. Mowbray) would ask the noble Lord how many Bills would be required to carry the right hon. Gentleman's proposition into effect? They were to repeal the fundamental clause of the Act of Union. He would ask any lawyer whether the repeal of that clause would not be virtually a repeal of the Act itself? When the fundamental clause was gone, would it not be necessary to re-enact the Union? The right hon. Gentleman had no doubt a great ecclesiastical knowledge; but where was his *alter ego*, the hon. and learned Gentleman the Member for Richmond (Sir Roundell Palmer), whose learning, ability, devotion, and great knowledge of the law would be necessary in drawing the many Bills that would have to be passed by that House—where was that hon. and learned Gentleman on the two divisions of the 4th April? Where had he been during the whole of this debate? He had been conspicuous by his absence. Would the House not see him on the Benches opposite during this attack upon the Irish Church? But there was another right hon. and learned Gentleman whose official experience would be of great service to the party opposite; he referred to the right hon. Gentleman the Member for Morpeth (Sir George Grey). He would ask whether he was prepared to give the benefit of his great official experience and legal knowledge in the preparation of these Bills, and to assist in carrying a measure, which in 1865, he said could not be carried without a revolution? The noble Lord asked whether things should remain as they were. His answer was that the Government had never said that they should; and they had, at the instance of Earl Russell, issued a Commission to inquire into the Irish Church generally. And when that Commission reported, then some legislation must take place. The Government did not deny the legal right to bring forward those Resolutions; but they denied that the present was the most fitting time for doing so. They appealed from this moribund House to the young and vigorous and more numerous constituency which the Act of last year had created. Hon. Gentlemen opposite felt confident that the verdict would be in their favour; and, if so, they ought to be as anxious to appeal to the country as the Government, although they now rejoiced in their majority of 60. There had been times before now when the Irish Church question had been used as a rallying point for the great Liberal party, and yet that party had been obliged to abandon the question. In 1835, in that House, the present Earl Russell brought forward Resolutions appropriating the Church property, ostensibly to remedy grievances, but really to oust Sir Robert Peel from Office; and he succeeded. But in 1836 the House of Lords had rejected the measure, and the country had supported the House of Lords, and the Liberal party quietly dropped the Appropriation clauses. The victim of 1835 had become the pupil of the noble Lord, his then conqueror, and something more than pupil; for so proficient had he become in the education the noble Lord imparted to him, that he had since February last advanced the education of the noble Lord many degrees, and had enabled him to write a second pamphlet condemnatory of his first. The Government had now to encounter a formidable combination; but, though it was formidable, they did not despair. It appealed from the majority of the House of Commons to the enlightened verdict of the people of England. It did not raise the banner of "No Popery;" but it appealed to the people to stand by the religion they held dear; and it looked forward to the time when, the question having been considered by the Commission, the constituencies would be prepared to sanction legislation more in consonance with our past traditions, and more in harmony with our Constitution than that now proposed.

MR. SULLIVAN said, he expected to hear some arguments in answer to the speech of the noble Marquess the Member for North Lancashire (the Marquess of Hartington); but the right hon. and learned Gentleman (Mr. Mowbray) had not offered a single argument that was worthy of the House, or of the great question before it. Would the right hon. and learned Gentleman resist the partial diversion of the property of the Irish Church by the suggestion that the castle of an individual member might be destroyed? Was there no way of meeting this question but by saying that it touched the Monarchy, the House of Lords, the appellate jurisdiction of the Privy Council, without showing in what manner? The Sovereign was asked to allow the House to discuss a matter essentially necessary before a Bill could be laid on the table of that House. That was the only point in which this Resolution touched the Crown. But what did the right hon. and learned Gentleman think of the Temporalities Act, which swept away several bishoprics? Did not that touch both the Monarchy and the House of Lords? Yet the Act had been for several years on the statute book. If the question was of importance to the Empire, it was of vital moment and interest to Ireland, more especially in the present critical condition of that country, when it was looking to the House of Commons for earnestness and sincerity in its attempts at remedial legislation. The noble Lord the Member for the county of Londondery (Lord Claud J.

Hamilton) had said that no one stated that this measure would be a message of peace to Ireland. He (Mr. Sullivan) believed and stated that it would be a message of peace to Ireland. Was the present condition of that country one of peace, conciliation, and harmony? Where there not classes widely separated by distrust and aversion, caused by the existence of this Church Establishment? ["No, no!"] Hon. Gentlemen from the North of Ireland might say "No;" but they well knew that Protestants and Catholics were separated by a wide line of demarcation. The Protestants of Ulster had assumed to themselves from the earliest times the character of exclusive loyalty which they had denied to the Catholics. They pretended that they were the loyal garrison in an enemy's country, supporting the Protestant Church which was the citadel. That was the way in which the question was put; but if you once told the Roman Catholic peasant and peer that they were on the same footing ecclesiastically and civilly as their Protestant fellow-countrymen, you would have removed the most jarring source of discord which ever disturbed the country, and which he really believed was at the bottom of all the dissensions from which Ireland had suffered. He had known several measures of concession to the Irish Catholics proposed, and they were invariably opposed by Northern Members, who were so fond of monopolizing the character of loyalty. The people of Ireland would be loyal if they were allowed to be loyal; they had shown within the last few weeks how great their feeling of confidence would be if once there were a prospect of passing the measures that were necessary for that country. The defence offered for the Irish Church was what lawyers called a dilatory plea. We were to wait for the Report of the Commission. He could understand that this Report might be of use on questions of detail; but how would it aid upon the question of disestablishment, which was advocated on the ground that the Irish Church was a political institution. The right hon. Gentleman the Under-Secretary for the Colonies (Mr. Adderley) confessed that he thought the attempt to extend the Reformation to Ireland was idle. The fact was that the Irish Church had been established from the first as a political institution, and as such it remained to this day. He denied that any argument had been adduced to show that the Irish Church was a religious institution. It was planted, had been maintained, and stood to this hour as a political institution; and honest and warm-hearted Protestants in the North of Ireland were taught to believe that the Church of the State was the Church of their faith. But there was also a strong Protestant feeling that justice ought to be done on this subject; that no sufficient fruits had followed from the Irish Church, and that it had better be severed from the State. Prescription has been spoken of in the course of this debate; but what, he would ask had prescription to say to the Irish Church? He was as sincere a Protestant as any man who defended the Church Establishment in Ireland; and he could sincerely say he did not believe that the Establishment had done service to the Protestant religion. That Establishment had led to a conflict between classes in Ireland, and he felt that it ought to be swept away. But, if prescription was pleaded in defence of the Irish Church, he would ask, had not the prescription been supported for 300 years by injustice and cruelty? ["No, no!"] It was well known that down to the close of the last century the Roman Catholic religion had been persecuted in Ireland, and the Roman Catholic priests had been proscribed. In the South of Ireland the country was an exception. In towns there lived the rectors of adjoining parishes, in consequence of their having no residences in those parishes; and there were seen constantly clergymen, with no congregations, by the side of Roman Catholic churches turning out their teeming hundreds. Was not this a state of things that ought to rouse the feelings of the people? Yet this was the normal state of things existing in the South of Ireland. But how stood the question of prescription? Mr. Burke said—

> "In England it was the struggle of the great body of the people for the establishment of their liberties against the efforts of a small faction; in Ireland it was the establishment of the power of a small faction at the expense of the civil liberties and properties of the majority."

It was said, however, that if they made this concession it would be followed by further demands. That was very likely; but if they showed the Irish people that they were willing to go a certain length in order to do them justice, would not the Irish people be disposed to meet them in a fairer spirit in regard to the questions which might come afterwards? The opinion of the new and reformed constituencies had been often referred to in these discussions;

but the Irish people would have great confidence in those new constituencies whenever the appeal might be made to them, and they were asked whether they would not prefer the freely proffered loyalty of a great nation to the sullen, and it might be conditional, loyalty of the few. If the Irish people saw that parliament was really in earnest, and that it meant to remedy the injustice that had long been done them, they would respond with warm and lively gratitude to the kindly advances made towards them. He protested against the insulting assertions that had been made as to conspiracies between "Irish Romanists" and any other classes. He believed that the Irish Romanists, as they were called, were as loyal as any section of that House, and he emphatically repudiated the insinuations that had been thrown out against them. He pointed to the many distinguished Roman Catholics who had appealed to the House for the disestablishment of the Irish Church, who had not claimed it as a sulky demand, but had asked for it—and implored it, if they liked—as an act of justice. Let the House, therefore, not quibble about it or hesitate to concede it. It was said the Fenians did not demand the disestablishment of the Irish Church. Certainly the Fenians did not; for that was perhaps the very last measure which they wished to see adopted, because it would take from them one great cause of sympathy. The farmers of Ireland, said the Chief Secretary, had not yet joined the ranks of Fenianism; but would the noble Lord wait until they had done so before doing an act of justice? If the noble Lord and his Colleagues would cast aside the small faction which arrogated to itself a monopoly of loyalty in Ireland, they would earn the thanks and strengthen the loyalty of the Irish nation. In conclusion, he hoped the Committee would agree to the Resolution of the right hon. Gentleman the Member for South Lancashire.

Mr. NEWDEGATE said, that the hon. and learned Member who has just spoken has made one or two assumptions such as, are said, not to be unusual in Irish oratory. He has informed the House that the Irish branch of the United Church does not represent religion. It cannot be denied that the essence of every Protestant establishment is religion. But what is the toleration of this advocate of concession, when he rises and declares that there is no religion in the Irish branch of the English Church? Again, what says this distinguished lawyer? Why he says that prescription gives no title to a corporation. I ask the hon. and learned Gentleman whether he stands to that phrase, that "prescription gives no title to corporate property?" Is this the doctrine we are to learn from the advocates of concession? I ask, whether the owners of corporate property, and those who enjoy the usufruct of corporate property accept this doctrine, that "prescription gives no title to corporate property?" [Mr. E. Sullivan: I never said that prescription gives no title to corporate property.] I took a note of what the hon. and learned Member stated, and I understood him to say, that "prescription gives no title to corporate property." If he chooses to retract that opinion well and good. I shall rejoice to find that he does not hold the doctrine; but his having said this shows the excess to which his oratory has carried him. I do not wish to pin the hon. Gentleman to the assertion which he now retracts. I will ask the House to consider in what respect the Irish Church is a corporation entitled to property. The Church is a corporation and holds property. Will any lawyer in the House deny this; why, in every Court it is known that if any question touching this property of the Church arise, the local officer of this corporation, whether he be Bishop, chancellor, surrogate, or a mere incumbent, appears to defend this property, or to answer for the use or abuse of it, not if he be an incumbent, as an ordinary freeholder, but as a freeholder for life under the corporation to which he belongs. I put it to the hon. and learned Gentleman who last addressed the House, whether in every court of the United Kingdom the Church is not held to be a corporation? The substance of these Resolutions has scarcely hitherto been appreciated in this debate. The 1st Resolution which is now before the Committee asks the Crown as the sworn trustee for this property—to abandon that trust. The next Resolution would prevent the creation of any new life interests in this Church property. The 3rd Resolution proposes that this House should, by its majority, present an Address to Her Majesty, praying that she will consent to violate her Coronation Oath. Now I put it to any hon. Member of this House whether there is any parallel to be found in history of any such proposal? I admit that the Irish Church Temporalities Bill was a case somewhat in point; but Parliament eventually decided on not requesting the abandonment but the modification of the trust under which the property of the Irish Church is held by the Crown, and it was on that ground that the Crown assented to the measure. The question now raised is another question as far as the Irish branch of the Church is concerned; you ask the Sovereign to resign the trust she has sworn to maintain, not for the purpose of modifying that trust, not for the purpose of altering the appropriation of the property in the sense of the trust, but that the property of the Church in Ireland, which the Crown holds on trust, shall be placed in our hands for the purpose of total alienation. That is the proposal of the right hon. Gentleman the Member for South Lancashire. Far be it from me to touch upon the sacred ground of what may be the conscientious feelings of Her Majesty. But the step you are asked to take is unprecedented—unprecedented in the annals of Parliament. Well, Sir, there have been many strange arguments used; and one of them was used to-night by the hon. and learned Member for Tiverton (Mr. Denman). He said that he was a lawyer, and that there was no Roman Catholic lawyer, that he knew, but was anxious for the alienation of the property that the Church of Ireland possesses. Let me remind the Committee of the opinion in respect to disestablishment of the Irish Church which was expressed by an eminent and Catholic Judge who died lately—a learned person, who once had a seat in this House, and whose attainments were well-known to hon. Members. The extract is from a pamphlet of the late Mr. Justice Shee entitled *A Proposal for Religious Equality in Ireland*. It was not the expression of opinion in a hasty speech, but a calm and deliberate conclusion. He wrote—

> "If my opinion were less decided than it is on the meaning of the Catholic Oath, or I deemed the policy recommended by Mr. Miall more hopeful than I believe it to be, I should still think our adoption of it unwise. The Church by law established in Ireland is the Church of a community everywhere considerable in respect of property, worth, intelligence, and the power of avenging a disgrace on the religion of the Irish people. It is strong in the supposed identity of its interests with those of the Church of England. Nothing short of a convulsion, tearing up both Establishments by the roots, could accomplish its overthrow. Nor is it by any means clear that its overthrow would benefit our religion. With the exception of the zealots who disturb the dioceses of Dublin, Ferns, Cashel, and Tuam, the 'sapping and mining' of religious belief has not been thought a worthy occupation by the prelates or clergy of the Establishment. Who shall measure the effects which might be produced upon the half-informed, the irreligious, and the indigent, by the spirit of proselytism which has of late broken loose, if universally quickened in the breasts of unendowed perverters, without standard, articles, or creed, stimulated by the lust of uncertain but indefinite gain."

Do not tell me, Sir, after that, that no Roman Catholic lawyer has ever and even recently supported the Church in Ireland —or that all Roman Catholic lawyers are actuated by the same intolerant spirit that has been displayed by the hon. and learned Gentleman who has just addressed the House. It seems to me that the Liberals represent the temper of modern Rome, the spirit of Ultramontanism. As an expression of the school of Cardinal Cullen, his speech is intelligible enough. But compare the speech we have just heard from the hon. and learned Gentleman with the extract I have just read to the Committee from the pamphlet of the late Mr. Justice Shee! We can judge from the speech of the hon. and learned Gentleman, and from the temper of it, who are the instructors that are guiding or leading the Liberal party. I have observed, throughout this debate, that the arguments addressed to the Committee by the hon. Gentleman opposite have nearly all been borrowed from the letter addressed by Dr. Manning to Earl Grey. Almost every argument has been reproduced, among others the leading argument that the Church is an injury as well as an insult to the Irish people. That all these arguments are borrowed almost verbatim from the letter to Earl Grey of the prelate who, previous to his elevation, declared that the function of his Church was to subdue or to subjugate this country. That is the temper of modern Rome. That is the temper with which we have to deal. That is the temper in deference to which we find the Leaders of the Liberal party repudiating opinions that they held two or three years ago, or about to join in an attempt, which is illustrated by the declaration that the Protestant Church shall not exist in Ireland. There are some other topics on which I wish to address the Committee. Sir, I observed that the right hon. Member for North Lancashire (the Marquess of Hartington), and several other hon. Gentlemen opposite, in addressing the House, have said, "Let us not hear in this House expressions of bigotry, in the shape of a 'No Popery' cry." Will he let me ask, what more cogent bigotry could be evinced than that of the speech of the hon. and learned Gentleman who has just addressed the Committee? Has he not declared that the majority of the Irish people are such bigots that they cannot be satisfied as long as the sanction of the Crown is given to the existence of the Protestant Establishment in Ireland? I do not believe that of the Irish people. I have reasons for not believing it. Then it has been said, and repeated several times, that the Irish Church in former days was simply a badge of conquest; that it conferred no benefit upon Ireland; that it was maintained out of vindictive spirit of injustice to that country. Arthur Young was a man of no mean capacity — of world-wide fame, he was the correspondent of the Empress Catherine of Russia, and of Washington; his works were translated by order of the French Directory at the time of the Revolution. He made a tour in Ireland during the time when the Protestant Church is now said to have been maintained merely as an injurious badge of conquest. What was the result of his observations? He visited Armagh, and in his tour he specially remarked the energy of the clergy in public improvements, specially signalizing the see of Armagh. A school, a library, a palace, and four churches had been erected by the Bishop. Arthur Young adds—

> "His Grace found Armagh a nest of mud cabins, and will leave it, a well-built city of slate and stone. When it is considered that all this has been done in the short space of seven or eight years, I should not be accused of exaggeration if I said that they were noble and spirited works, even if undertaken upon a man's personal estate; but how much more then are they worthy of praise when executed, not for his own posterity, but for the public good."

Here, then, we find drawn by an impartial hand, the character of one of these clergymen who are said to have been sent to Ireland merely as the "type of conquest;" one of those men who, according to the hon. and learned Gentleman opposite, represented no religion, and confer no benefits upon their neighbours. Was a more unjust statement ever made in debate? Then, at a later period, I might take the testimony of Major Woodward, who was employed in 1823, to report on the state of Ireland. What did he say of the effects of the Established Church upon the population of that Church, which we have been told over and over again is only to be looked upon as an injury and insult to the people? Major Woodward, after having traversed nearly the whole of the most neglected districts of Ireland, thus expressed himself—

> "I must, as a public officer, whose duties called him into close contact with the clergy throughout the most remote, and (by all other of the higher classes) deserted parts of the kingdom, declare, in common justice, that were it not for the residence, and merit, and political influence of the parochial clergy, every trace of refinement and civilization would disappear."

Now, I will ask anyone whether the records of the Roman Catholic Church testify to the civilizing properties of that Church? Cast your glance over the map of Europe, the Church of Rome is dominant in Spain, and tell me—has civilization advanced in Spain? Is Spain not one of the most retrograde countries in Europe? Pass on then to Poland—a country which is a conquered country, and in which—thus anticipating the views and policy of many Members of this House—the Emperor of Russia maintained the Roman Catholic Church in all its splendour. I ask, is there on the face of Europe a more degraded country —a country in which the mass of the people were less educated or less civilized? Remember the testimony of Lord Macaulay, your own historian, on this point—

> "Go where you will," he said, "the result is the same. Go to the Protestant cantons of Switzerland and you will find them advanced in civilization and wealth, far before the Roman Catholic cantons. Look at Scotland with her barren soil, but her Protestant religion. But go to the South of Ireland, and you will find agriculture in its most primitive state."

["No!"] Hon. Gentlemen may cry "No;" but statistics which have been laid before the House prove it. [A right hon. MEMBER: It is not true.] I say that the figures prove that in the South of Ireland thousands of acres have been converted into pasture land, which were once cultivated. Well, Sir; but then it is said that the Church in Ireland ought to be disestablished, because the numbers of her communionists are comparatively small. Is this the reason, according to the hon. and learned Gentleman opposite, why she must be considered to have no religion, and to be unworthy to exist. Sir, I conclude that the hon. and right hon. Gentlemen who use this as an argument never attend Divine service in a church which has only a small congregation. If, Sir, the truth and value of religion is to be decided merely by numbers, Christianity is a mistake; for I am sorry to say that Christians are a minority in the world. If the truth of religion is to be decided by numbers, what would have been said of Christianity when it first appeared in the world? On the same supposition the Apostles must have been sent upon a fruitless mission. But now it seems that the Church in Ireland is to be condemned as a Church of no religion, because she does not act in the spirit of offensive proselytism—for avoiding which she was warmly defended by the late Mr. Justice Shee. Your arguments represent but one thing, a foregone conclusion, that for the convenience of party you would destroy an Establishment that has existed for 300 years. There can be no other interpretation than this; it is an interpretation that I am very unwilling to accept: it is that the Liberal party are so alarmed by Fenianism; the right hon. Member for Lancashire's nerves have sustained such a shock, that he can no longer recommend this country to suffer the existence of an Established Church in Ireland. Remember the first speech of the right hon. Gentleman. He referred to four or five periods, concluding with the year 1829. He said, "You have always yielded to terror. There is a dangerous conspiracy now in Ireland; and it is extending into England, yield again;" and the inference from this argument clearly is that as previous Parliaments have yielded to the fear of Irish conspiracies, this Parliament therefore has no alternative but to yield also. I ask hon. Members whether they accept that argument or not? If you accept it, where is such a course to end? If you thus give a premium to conspiracy, you must declare that the executions that have taken place are judicial murders; and you justify the feeling that has prompted these conspiracies. It is a grave matter that the argument of fear should be used successfully in the House of Commons. But I deny that this demand for the disestablishment of the Irish Church is made by the great masses of the Irish people; and I say distinctly that it is made by the Irish hierarchy headed by Dr. Cullen. Upon this matter I will read a declaration which has been read before, and which was made on the part of the Meath Tenant Right Society. I quote from a pamphlet on *An Inquiry into the Causes of the Poverty and Discontent in Ireland*, page 22—

> "The following opinion of the Meath Tenant Right Society is worthy of attention. It was contained in an address to the inhabitants of that county, adopted at a meeting of the society held at Navan on the 26th November, 1865, the very Rev. John Nicolls, P.P., and V.G., in the chair; and the Revs. Thomas Lynch, V.F., and Michael Tommy, C.C., acting as secretaries:—'The one, the great, the sole question for Ireland, is the land question. Other agitations such as that against the Established Church are got up for party purposes; would infuse an element of bigotry into the already sufficiently disturbed relations between landlord and tenant; would effect the ruin of thousands of tenants, and precipitate that social catastrophe which we are anxious to avert.'"

Are these Roman Catholic priests less Roman Catholic than the Irish people? How come they to preside, as I have shown, at agricultural meetings? Who will tell me that their opinion is not as good an opinion as others that have been quoted? Cardinal Cullen demands the disestablishment of the Irish Church; it is in deference to his demands and to those of the Roman Catholic prelates, and to the persuasions of their colleague, Dr. Manning, that the House of Commons is to enter upon this novel course. I will give you proof of it. The right hon. Baronet who is at the head of the Military Department (Sir John Pakington) spoke in this House in 1865, and said—

> "The House will permit me to read a letter which was adverted to by my right hon. and learned Friend (Mr. Whiteside) in a former debate. An Association has been formed in Dublin, called the National Association, for particular objects, and with the concurrence, sanction, and support of Archbishop Cullen, of the Roman Catholic Church in Ireland. The letter in question was written by the Secretary of that Association, and addressed to an Irish journal:—'Sir,—The *Irish Times* of this day contains an announcement that the Established Church has been withdrawn from the programme of the National Association, and the questions to which it will confine its attention will be Tenant Right and Education. I beg to inform you that there is no foundation for the above statement; and the intentions of the Association in relation to the Irish Church Establishment have undergone no modification, and that the gentlemen with whom rests the direction of the policy of the Association are unanimous in their determination to have no compromise with the Establishment or its advocates, and to spare no effort for its overthrow.'"—[3 *Hansard*, clxxix. 1077.]

That declaration shows that Cardinal Cullen condemns the opinion of the late Mr. Justice Shee, and is opposed to the opinion, expressed by the members of the Meath Agricultural Society. There cannot be a doubt that hon. Gentlemen opposite have accepted their policy with respect to Ireland from Cardinal Cullen and Dr. Manning, and this brings me to another matter. It is said that the existence of the Irish Church is an insult; and why? Because the Roman Catholic hierarchy object to it. Go back in the history of Ireland and you will find this. Whenever circumstances have occurred, that have tended to abate the division that exists between the Roman Catholics and the Protestants, that instant Rome has interfered to aggravate these differences that provoke dissension, in order to produce alienation from and hatred to England. Now, Mr. Whittle, a Roman Catholic barrister, has written a pamphlet to which I have adverted on previous occasions; he is a Roman Catholic of moderate opinions, and he is treated with the utmost contempt by those Ultramontane Roman Catholics. In this pamphlet he complains, exactly as the late Lord Beaumont and the Duke of Norfolk complained, that modern Rome spews moderation out of her mouth. This pamphlet was published only three years ago; it was written by an able barrister, and he says this—that Ultramontanism had but little existence in Ireland previous to 1849, when it was imported by Cardinal Cullen. And why was this course taken? For this reason, that the conduct of the clergy of the Established Church, and of the other Protestants in Ireland during the famine in Ireland in 1847 and 1848; that the conduct of the Protestant community of England towards the Irish when they were in difficulties and distress; and the conduct of the United Parliament was such; that there was a growing feeling of attraction towards England; and of friendship and gratitude to the English people. At that moment Rome sent this firebrand to Ireland to cause division, and I say upon the authority of an educated and intelligent Roman Catholic barrister, that from his advent there sprung up the feeling in Ireland that is embodied in the demand for the disestablishment of the Irish Church; a demand that he was at first to popularize and force upon his clergy. I might say much more upon this subject, but I know that the hour is growing late. Still I wish to enforce upon the House—unwilling as some of the Roman Catholic Members may be to hear it—the fact that they are now doubly servants of the hierarchy. [*A laugh.*] That hon. Member who is now laughing (Mr. Synan) knows, that at no former period were the Roman Catholic Members of this House so servile in their obedience to the hierarchy of Ireland; and I assert it upon the authority of one whom I knew for years as a Member, a Roman Catholic Member, of this House (Mr. Vincent Scully). Mark this, if a man is disobedient to Cardinal Cullen; if he does not accept that which has been described as the episcopal policy; if he does not become a candidate for Parliament under the auspices of the hierarch he is treated with contempt and contumely, whenever his name is mentioned in this House. Many hon. Members of this House will remember Mr. Vincent Scully—[An hon. Member: We shall never forget him.]—and I ask whether they can remember anyone more anxious to promote the welfare of his country. There is a letter that he has published which shows that he was defeated in his attempt to be returned again to this House, because he was not favoured by the Roman Catholic hierarchy, because he had not accepted as fully what is called the Episcopal policy. The letter is dated the 28th February, 1866, and it contains the following extract:—

> "Possibly, also, they considered that the result of this 'episcopal policy' is that the Irish people (*i.e.* the occupiers of land in Ireland) are now unrepresented in Parliament; for it is quite apparent that the majority of the Irish county Members are nominated by Tory landlords who personify the British element, and the other county Members are virtually elected by Catholic Bishops who embody the Roman element; while the Irish element is thus practically extinguished and disfranchised. This state of Irish politics may, perhaps, partly account for the Fenian organization with its attendant evils, as well as for other consequences not necessary to specify at present."

Now, Sir, when I remember the position Mr. Vincent Scully held in this House, and having great respect for his character, I believe his to be a true description of the representation of Ireland. In another part of the same letter he states—

> "One of the most strange results of this 'episcopal policy' has been that, within a few years, the Irish Members have gradually dwindled from forty-six, at which they stood up to 1857, down to thirty, being their present number. In quality they are even more reduced than in quantity, so far as regards public experience and practical knowledge of Irish matters. For trained Irish veterans are substituted raw Roman recruits and Parliamentary tyros, either Protestant or Catholic."

Now, this being the state of the representation of Ireland, suddenly the right hon. Gentleman the Member for South Lancashire comes forward and declares that he is acting upon the opinion of the Irish people, as duly expressed by their nominal representatives—though I have shown that they represent only the opinions of Cardinal Cullen and Dr. Manning—it is impossible to believe that they can ever rest satisfied unless—unless what? Why, not because any pecuniary gain is refused to their own

Church; but it is asserted that there shall be no increased prospect of peace—that the spirit of anarchy shall not be allayed, unless this House suddenly vote an Address to Her Majesty, expressing a hope that she will be induced to violate her Coronation Oath, and relieve Ireland from the offence which Cardinal Cullen feels at the presence in that portion of her kingdom of an Established Church. Were it not so late in the night, I could produce further evidence in support of the assertions I have made. I could show, that in former periods, whenever there was a prospect of peace in Ireland, Rome sent agents to this country to break the peace. I could show that the apprehension of a growing union between the English and the Irish people on the part of the Papacy is the secret cause of the policy that is now followed by the right hon. Gentleman the Member for South Lancashire. In all human probability, instead of thus promoting peace in Ireland you will only stimulate to further demands, you will aggravate religious differences; by making these unwise concessions now you will stimulate the hierarchy to make other and still greater demands, which will render it impossible longer to maintain the union between the two countries. Was the late Mr. O'Connell a representative of Irish feeling or not? O'Connell made the same demand that you make now; but then O'Connell was consistent, for he also demanded the absolute repeal of the Union. He held that it was impossible that the British Government should conduct the administration of Ireland on the terms that you propose; and holding that to be an impossibility, being a man of foresight and ability, what did he demand? He demanded the disestablishment of the Church, and at the same time the repeal of the Union. You call attention to what has taken place in Canada and Australia. But O'Connell was wise in feeling that, if Ireland were placed in the position of Canada or Australia, it would be impossible to maintain the Union. I can quite understand Cardinal Cullen's policy. The right hon. Gentleman proposes to disestablish the Church. Why does he at the same time support, why do Cardinal Cullen and Dr. Manning support, the Union? Because the disestablishment of the Protestant Church will strengthen enormously the Papal influence in Ireland; and for this reason—the Catholic Church is organized, is directed in Ireland by a Legate Cardinal from Rome. If you withdraw from the Protestant Church of Ireland the support of the State, what will be the position of the two Churches? Remember that the Roman Catholic Church is supported by a State—by the State of Rome—it has a hierarchy recruited from Rome, increasing in wealth and influence; you withdraw from the Protestant Church of Ireland that support and countenance of the State, which she has heretofore enjoyed. And yet you say that the Union must be maintained. Why? Why does the Cardinal Legate wish to maintain the Union? In order that, by the increased power which would thus be given to him through the Irish representation, he may be able to exercise an increased power over this House. His policy is distinct and clear. How can you expect, if the Protestant Church can with difficulty maintain the contest now, that when the support of the State is removed she will be more adequate to contend with her opponent. You say it is an offence to religion to support the Protestant Establishment on political grounds. I say that as long as the hierarchy of the Romish Church is directly supported by the Court of Rome in Ireland, it would be an act of folly and of cowardice to withdraw the support of the State of England from the United Church in that part of Her Majesty's dominions. Such an act would be most imprudent, it would be impolitic, and if it were adopted it will be difficult to maintain the Union. Hon. Gentlemen talk as if it were the settled opinion of the people of this country that this act of disestablishment would be most statesmanlike. That is not the character that this policy has borne among them for many years past. I know that attempts have been made to beguile Members of this House into favouring this policy; but I also know that the people of this country condemn this proposal as favouring the ambitious policy of Rome directed against England. I attended a meeting at Birmingham the other day where 5,000 people were unanimous in their opposition to this policy. I had the honour to present a petition to this House from Birmingham which was signed by 10,000 people; and I was assured that if only a week would have been allowed the 10,000 would have become 40,000 or 50,000. Let us not, the noble Lord the Member for North Lancashire has said, resuscitate the old worn-out cry, "No Popery!" Depend upon it, if you pass this measure that cry will gather strength.

At present you feel a little of its force, but wait till your policy begins to work. I have had some experience of the Protestant feeling of my countrymen, I have seen it relax and I have seen it renew its strength; I know that the Protestant feeling of the countrymen is now gathering in strength. I know that the only sound policy on the part of the English Bishops is to come forward and strengthen their brethren of the Irish Church in this their hour of danger; and though Lord Russell has counselled them to abandon the Church of Ireland, I rejoice to see that the Archbishop of Canterbury and other Bishops are about to come forward and identify their cause with that of their brethren in Ireland. In conclusion, I beg to affirm my conviction, that if you adopt the policy which is recommended to you by the right hon. Gentleman the Member for South Lancashire, you will adopt a policy that is at variance with the freedom of religion and inconsistent with the tolerant doctrines of Christianity, which are embodied in the formularies and illustrated by the practice of the Church of England.

Mr. WHALLEY said, he had supported the former Motion of the right hon. Gentleman the Member for South Lancashire with great reluctance; but he had done so because he considered that Protestantism in Ireland, so far as it was connected with the Church, had altogether failed. Those who conducted the Establishment were either incompetent or were traitors to the trust reposed in them. ["Oh!"] It was on that ground he supported the right hon. Gentleman. He had considered the matter with great anxiety, and he had come to the conclusion that protection in religion should be swept away and free trade established. The Resolutions had, however, been supported upon a wrong principle. It was said that they should make concession to a foul conspiracy. And this was said by a right hon. Gentleman—a neighbour of his in Wales. He did not believe that the Fenian conspirators would accept any such concession. He lived in Wales. It was said that the Dissenters in Ireland were numerous, and that in justice to them the Church should be swept away. But in Wales the Dissenters were two to one as compared with the Church, and if he endeavoured to get up an agitation to sweep away the Church of Wales, he would be regarded as a lunatic. It was shameful that attempts at legislation of this kind should stop the way of measures of pressing importance, and this under the pretence of arresting the progress of Fenianism. He hoped the right hon. Gentleman the Member for South Lancashire would present some reasons more intelligible than those he had yet given why this Motion should be proposed. He feared that oaths were useless against the power of the Papacy. He wished to see the whole matter left to the decision of the people of England, and all modes of artificial support of religion put out of the way.

Mr. REARDEN said, he was surprised that the Prime Minister, who had assisted last year to pass a liberal measure of Reform, should call the Roman Catholics by a disageeable nickname. [*Cries of* "What name?"] He called them Romanists. He begged to call attention to the speech delivered by the right hon. Gentleman several years ago, in which he adverted to the course that should be adopted by an English Minister towards Ireland; and he declared that that speech was contradicted by all they had heard that night from the right hon. Gentleman's side of the House. The Penal Laws were certainly a good reason for voting for the disendowment of the Established Church.

Sir MICHAEL HICKS-BEACH moved that the Chairman report Progress.

House *resumed*:

Committee report Progress; to sit again upon *Thursday*.

House adjourned at One o'clock.

## HOUSE OF COMMONS,

*Wednesday*, *April* 29, 1868.

MINUTES.]—New Writ Issued—*For* Stamford, *v.* Viscount Cranborne, *now* Marquess of Salisbury.

Select Committee—On County Financial Arrangements *appointed*.

Public Bills—*Ordered*—Municipal Rate (Edinburgh)*; Ejectments Suspension (Ireland).*

*First Reading*—Non-Traders Bankruptcy (Ireland)* [98]; Municipal Rate (Edinburgh)* [99]; Ejectments Suspension (Ireland)* [100].

*Second Reading*—Church Rates Commutation [10], *deferred;* Railway and Joint Stock Companies Accounts [53]; County Financial Boards (No. 2) [52], *negatived.*

*Considered as amended*—Artizans' and Labourers' Dwellings [88].

*Withdrawn*—Peerage (Ireland) [83].

## CHURCH RATES COMMUTATION BILL.

(*Mr. Newdegate, Colonel Stuart.*)

[BILL 10.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Newdegate.*)

MR. NEWDEGATE, in rising, remarked upon the absence of all the Members of the Government, and said, that the Bill embodied a principle which the House had affirmed. Another measure upon the same subject had been sent up to the House of Lords, and was, it appeared, to be referred to a Select Committee. He should be glad if the House would consent to allow his Bill to go before a similar tribunal, having good reason to think it would bear the examination of a Committee of the House of Lords. In the present state of that House (there were only a few Members present), he thought that the best thing he could do—considering the determination manifested by a majority of the House to disestablish the Church in Ireland, and in other ways to curtail the property of the United Churches of England and Ireland — was simply to move that the Order of the Day for the second reading of his Bill be postponed until to-morrow.

Motion, by leave, *withdrawn.*

Bill to be read a second time *To-morrow.*

## RAILWAY AND JOINT-STOCK COMPANIES ACCOUNTS BILL—[BILL 53.]

(*Sir William Hutt, Mr. Ellice.*)

SECOND READING.

Order for Second Reading read.

SIR WILLIAM HUTT, in rising to move that the Bill be now read the second time, said, he thought it unnecessary to make reference to statistics for the purpose of showing that, in the last few years, the affairs of many railway and joint-stock companies had been in a disastrous position —disastrous not only to the shareholders themselves, but to the country and the general interests of the public. That calamitous state of things had directly resulted from the system of management under which the companies were formed —a system which was vicious in itself and in many cases most disgracefully carried out. It was therefore, he thought, absolutely necessary that Parliament should interpose to prevent, if possible, the recurrences of such evils. The case was one of great urgency. The amount of capital either compromised or lost by the collapse of the companies' system of management was perfectly gigantic. He believed it exceeded the measure of the great monumental debt of this country, and was the largest expression of figures which perhaps the human mind could comprehend. Parliament had of late been much condemned for having abandoned this vast amount of property to the will and pleasure of private individuals, and for having taken no care of the interests of the shareholders. That, however, he thought was not a just statement of the case; for, up to almost the present moment, neither the shareholders nor a large proportion of the public seemed to desire that protection. Since 1845, all the measures on the subject submitted to the House, either by private individuals or by the companies themselves, seemed to have called forth a feeling that any interference on the part of that House with the management of the affairs of such companies would be considered an affront and an injury to the shareholders themselves. He remembered Mr. Hudson, who for some years acted as spokesman in that House for many of those railway companies, declaring that such attempts at legislation were unconstitutional, and that it was the right of Englishmen to manage their own affairs and in their own manner. In consequence of that feeling and such remonstrances, those companies had been left pretty free from any legislative restraint up to a recent period. In the Railway Clauses Consolidation Act of 1845, and in the Companies Act of 1862, as well as in the Railway Acts Bill of last Session, there were clauses inserted for regulating the management of the financial affairs of the companies; and if the provisions of those Acts had been fully carried out they would have been spared many of the calamities which they had had since to deplore. Those provisions were illusory, and were never enforced, because they took the form of mere mandatory directions, which were generally treated with either neglect or defiance. Parliament should never speak, but to command, and should never command unless it was able to enforce its behests. A very great change had, however, recently come over the public mind, including directors and shareholders. They were now sadder but wiser men; and legislation on the subject was now universally called for. The only question therefore was, what arrangements should be adopted by which malversation in those matters could be for the future prevented; and what should be done to restore to those important companies that confidence under the loss of which they were at present suffering? A Mr. Wrigley, at a recent meeting at Manchester, had proposed a plan by which the directors would be divided into two bodies—one to have the exclusive charge of the capital of the company; the other to be exclusively occupied with the management of the working of the line. But he thought no cutting and shuffling of the pack would alter the tint of the cards. He did not believe that any such plan would be effectual in preventing the directors and some of the shareholders combining together for the purpose of paying dividends to themselves and endeavouring to raise the market value of their property, by representations neither sanctioned by upright dealing nor by correct bookkeeping. It was not his intention to adopt any such plan, nor to advocate another one, which had been put forward also by a high authority—he did not advocate a system of Government audit, as that expression was generally understood. If the guarantee of the State were to be given to all such accounts presented to the Board of Trade, the various other companies engaged in mercantile and industrial pursuits would make similar claims upon the Government; and the consequence would be that the Board of Trade would find itself involved in vast, complicated, and overpowering interests. More than that, he thought it impossible that Government auditors could certify to the correctness of the accounts laid before them without communicating to them the sanction of Government authority, and he was afraid that the effect of such a plan would be to get rid of that individual responsibility which, in matters of this kind, was of much importance. The plan he ventured to propose by the present Bill was one which had been adopted by the Government itself in a measure now before the other branch of the Legislature. His object was to effectually carry out the provisions of the Clauses Consolidation Act of 1845, and the Companies Act of 1862, so far as they related to the regulation and exhibition of the accounts. He proposed that the chairman and two directors of each company, together with the accountant, should, upon the occasion of the company's meetings, draw up and sign a full and faithful balance sheet of the assets and liabilities of the company, and that such balance sheet, together with the accounts from which it was deduced, should be filed with the Board of Trade, and with the Registrar of Public Companies; and, in order to render those accounts intelligible, he proposed that, with the accounts, there should be drawn up and filed the report of the engineers of each company as to the condition of the permanent way and the rolling stock of the company. In order to prevent any manipulation or cooking of the accounts, he proposed that they should all be made out according to a particular form prescribed by the Board of Trade. No dividend would be payable until all these requirements were fulfilled. In addition, he proposed to enact that all the officers of the company, signing documents of a deceptive or a fraudulent character, should be liable to fine and imprisonment. Two important objects would be gained by making it compulsory on companies to make out their accounts in a prescribed form. In the first place, there would be no dressing them up in order to make things pleasant, or to suit the interests of the company itself; and, in the next place, there would be no payment out of borrowed money, and no money could be paid without passing through the books of the company. In addition to this, by compelling all companies to adopt the same form of accounts, the public and the shareholders would derive great advantage from being able to form some estimate of the respective value of the shares of the companies. He had now stated the leading features of his Bill which he had taken up at the request of others, and which, if adopted, he believed would go far to prevent a recurrence of those evils under which several companies, as well as the public generally, were suffering, and which had produced so great a depression. He might be wrong in his views, but he had taken every pains by study and inquiry to form a right conclusion upon the subject. He had been desirous to see this measure brought forward with the sanction and authority of the Government; but as his hon. Friend the Vice President of the Board of Trade had declined to take the conduct of the measure, he felt it his duty to assume the responsibility of submitting it himself to the House. He trusted the House would feel that he had a claim on its support.

Motion made, and Question proposed, "That the Bill be now read a second time.—(*Sir William Hutt.*)

MR. STEPHEN CAVE said, he would offer no objection to the second reading of the Bill, the principle of which was similar to that of the measure introduced into the House last year. The position this year was, however, somewhat different. The Government had, already introduced a Bill into the other House of Parliament for the regulation of railways, and in that Bill they had largely availed themselves of the provisions of his right hon. Friend's measure. There were, however, a few salient points upon which the Government had taken a view different from that of the right hon. Gentleman. One point was, the Government had confined themselves to railway companies exclusively. He thought that in any tentative measure of that kind, it would be wise for the House to try the experiment upon a certain number of companies before embarking in the serious operation of legislating for all the limited companies in the country. There was a difference in principle between railway companies and ordinary limited companies. Very few of the latter had compulsory powers granted them by Parliament — a characteristic which alone would warrant Parliamentary interference in the internal concerns of railway companies. There were many thousands of limited companies in the country, and the form of accounts suitable to one description of company would be quite unsuitable to another, so that it would be next to impossible to prescribe a form that would apply to all. And a variety of other considerations showed how necessary it would be to limit the operation of a Bill like that before the House, at least for the present, and until opinion had been tested by experience. In the Act of 1862 there was a particular form recommended to joint-stock companies. By that Act it was provided that upon a requisition signed by two-fifths of the shareholders of any joint-stock company, an application might be made for a Government inspection of the accounts of the company. But that power had only in one instance been taken advantage of, and in that instance the time for an inspection was past, for the company was being wound up in Chancery. This showed how difficult it was to move shareholders to take advantage of arrangements which the Legislature provided for their protection. It seemed to him that the only perfect measure of the kind which it was possible to bring forward would be one rendering Government audit of railway accounts compulsory; but he had last year stated, in reference to his right hon. Friend's Bill, several objections to such a course. He believed it would paralyze the watchfulness of the individual shareholder, and thus be fatal to the prosperity of joint-stock undertakings; the business of the Legislature was to give every facility to shareholders for protecting themselves, and not to bring about a state of things in which shareholders whenever they met with difficulty would go crying to the Government for assistance. It had been stated over and over again that it was quite impossible to control directors by Acts of Parliament: that, if they were determined to cook the accounts, as it was called, they would do so. And even painful cases of fraud had at times been disclosed, the recurrence of which no foresight on the part of the Legislature could make impossible. But whose fault was that? The Courts of the country were open for the prosecution of persons who were guilty of such crimes. The shareholders individually were to blame in not choosing competent and trustworthy men. Persons were selected for the office of director too carelessly, and, in many cases, on account of their social standing and other circumstances, which in no way necessarily qualified them for their office. Gentlemen were constantly elected to the office of director simply because they were Members of Parliament, and supposed rightly or wrongly to have certain influence, which might on occasion be valuable; and in many respects shareholders permitted their affairs to be managed in a way which would bring a private concern to the verge of bankruptcy in a very short time. Shareholders then would act wisely if they asked the Legislature for no more than perfect freedom of action and perfect publicity with regard to the affairs of the company. Let the accounts be kept in an intelligible way, and the shareholders be afforded every facility for sifting them to the bottom. No form of account was prescribed by the Bill of his right hon. Friend; power only was given to the Board of Trade to prescribe a form. The Government had in the Schedule of their Bill set forth a very carefully prepared form, which might be modified with the consent of a company, to suit particular cases. This, he believed, was more agreeable to the wishes of the railway companies. It was, he believed, sufficiently elastic to meet the varying circumstances of the different railways; and, at the same time, sufficiently precise to enable any shareholder of ordinary intelligence to compare one year's accounts with another year's, and those of one company with those of another. This would prove of the greatest advantage. He should be very loth to allow auditors to interfere with the policy of a company, on which the success of an undertaking really depended. That was a matter purely for the shareholders, who had every facility for controlling it under measures recently passed. The right hon. Member wished the reports of companies to be sent to the Board of Trade; but he did not tell them what the Board of Trade was to do with them. The probability was that those reports would be put into pigeon holes and there they would remain, unless some shareholder should apply to inspect them, which would rarely happen. The Government, on the contrary, thought it would be better to require a printed copy of the report to be furnished to each shareholder on his application, and that he should have the power of inspecting the books of the company at its office. The Bill of last year provided that the accounts should be certified by the auditor, and that unless he did so the dividend could not be paid. He (Mr. Cave) did not, however, agree that the auditor should declare the dividend, that being more or less a matter of policy, and not to be decided merely upon the state of the half-year's accounts. On this point as well as upon some other matters of detail, the two Bills differed. He thought it would be better to postpone the next stage of the Bill until the Government measure came down from the House of Lords in order that they might be both considered at the same time.

Mr. SCOURFIELD said, he had little confidence in Parliamentary efforts to reform joint-stock company management. Everything that had hitherto been done to provide facilities for the shareholders to detect fraud or irregularity in their companies had been systematically neglected. And this had not arisen so much from want of light or knowledge as from wilful shutting of eyes. The extraordinary fascination of a large rate of interest was stronger than the wisest counsel; and nothing but bitter experience seemed to teach investors the truth of the Duke of Wellington's maxim, that high interest meant bad security. The shareholders might be taken to the salutary springs of economy, but it would be impossible to make them drink. He remembered a paragraph in the money article of *The Times* in 1863 which, quoting from memory, he believed ran in this way—

> "Another ruinous financial collapse is due in the year '67, and we have every reason to believe the preliminaries are already adjusted."

This prophecy was verified; and he believed persons of sound judgment could always predict with tolerable certainty the consequences of reckless investing. The evil has arisen from the wish of investors "to eat their cake and have their cake." By their very nature, railways are monopolies; and the best plan would have been to recognize the fact at the beginning, and treat them accordingly. But this has not been done. Still, he approved the proposal to give every possible publicity to companies' accounts, and would not oppose the Bill.

Motion *agreed to.*

Bill read a second time, and *committed* for *Wednesday* next.

## COUNTY FINANCIAL BOARDS (No. 2) BILL—[Bill 52.]

(*Mr. Wyld, Mr. Hodgkinson.*)

### SECOND READING.

Order for Second Reading read.

Mr. WYLD, in rising to move that the Bill be now read the second time, said, that the subject had occupied the attention of the Legislature during the past thirty years, and had been reported on by Select Committees of both Houses of Parliament, and by Royal Commissions, in every case to the effect that ratepayers should have some control over the expenditure of County Boards. This opinion had been supported by many statesmen of acknowledged wisdom. Sir Robert Peel stated that—

> "He should admit, what he was prepared to admit, that the representative system should to a certain extent be adopted in the administration of the county funds."

The Earl of Derby in 1848, speaking on the Petty Sessions Bill, said—

> "In the county with which he was connected the county rate had risen from £77,000 in 1823, to £175,000 in 1848, and it did seem an anomaly that such a sum should be assessed by the local magistrates without the control of the ratepayers."

If this were his Lordship's opinion in 1848, with a county revenue of £175,000, how much more strong should it be now, when, in 1865, the expenditure had increased to £251,754, and when the valuation had increased from £6,000,000 to £10,000,000? Sir James Graham had expressed his opinion—

> "That some check founded on popular election, and consisting of ratepayers acting with the magistrates, was now necessary and ought to be established."

And the right hon. Member for Oxfordshire (Mr. Henley)—

> "Wished it to be understood that he had never expressed an opinion against the ratepayers having a control over the expenditure, if a right system could be chalked out."

And upon another occasion—

> "He begged to state that he did not object to the principle of establishing popular control over county expenditure."

The present Secretary of State for War did not object to this principle, and the Chancellor of the Duchy of Lancaster had upon more than one occasion promised to support it. Lord Palmerston, when First Minister of the Crown, had promised—

> "That, at the beginning of the next Session, Her Majesty's Government would propose to Parliament such measures as they might think fit, founded on the principle of popular representation as regards the administration of county affairs."

But Lord Palmerston's promise is unfulfilled, and the county rate is the only tax of all our fiscal arrangements which is levied and expended without the consent of the ratepayer or his representative. And the anomaly was sufficiently apparent to all who had studied the question to render further argument or illustration unnecessary. It had been said that the landowners paid the county rate, though indirectly, and that the magistrates being large landowners had the sole right to control its expenditure. Sir James Graham in 1856 demolished the fallacy; his words are—

> "It was said in reference to this measure, that the magistrates of England, who exercised this irresponsible power were the great proprietors, and had the greatest interest in the expenditure of the county rate; and that, therefore, it was perfectly safe to allow them to regulate that expenditure to which they themselves most largely contributed, without the check of popular representation. That seemed to him to be a very odd argument to use in the House of Commons. Why, on the very same ground, they might entrust the taxation of the whole country to the House of Lords without any interference from the representatives of the people. The House of Lords consisted generally of the large landed proprietors of the country. They, therefore, it might be said, had an interest in keeping down taxation—yet was it found necessary to have the check and control of this elective assembly."—[3 *Hansard*, cix. 826.]

The large landowner may be represented by the justices at quarter sessions, but the small freeholders are not in the commission of the peace; they are a numerous class, and freehold land and building societies have added to their number. The properties they possess may in the aggregate be equal to the properties of the justices, and yet they have no voice in the levying and expenditure of the county rate. What has raised the assessment for the county rates from £65,000,000 in 1860, to £77,000,000 in 1868, but the improvement and increase of the smaller properties? Then there is the tenant occupier. It is said the landlord pays the rate; that when the tenant takes the farm or the house, he knows the amount of the rate, and pays a rent minus the rate. This proposition might have some force if the rate was invariable, but it changes from year to year. In Cornwall the amount levied for the county rate was—

| | | £ | *s.* | *d.* | | £ | *s.* | *d.* |
|---|---|---|---|---|---|---|---|---|
| 1864 | .. | 17,156 | 17 | 8 | per cent | 1 | 17 | 10 |
| 1865 | .. | 18,843 | 5 | 11 | " | 2 | 1 | 7 |
| 1866 | .. | 25,059 | 13 | 5 | " | 2 | 15 | 3 |
| County of Derby— | | | | | | | | |
| 1863-4 | .. | 15,883 | 2 | 5 | " | 1 | 7 | 1 |
| 1864-5 | .. | 14,490 | 12 | 5 | " | 1 | 5 | 4 |
| 1865-6 | .. | 16,053 | 8 | 8 | " | 1 | 7 | 5 |
| County of Lancaster— | | | | | | | | |
| 1863 | .. | 119,753 | 0 | 0 | " | 1 | 14 | 8 |
| 1864 | .. | 111,979 | 0 | 0 | " | 1 | 12 | 5 |
| 1865 | .. | 135,097 | 0 | 0 | " | 1 | 19 | 1 |
| County of Northampton— | | | | | | | | |
| 1864 | .. | 9,957 | 10 | 7 | " | 1 | 1 | 10½ |
| 1865 | .. | 11,834 | 6 | 10 | " | 1 | 6 | 0½ |
| 1866 | .. | 12,802 | 13 | 5 | " | 1 | 8 | 1½ |

These examples show that the rate increases, and in some few counties diminishes. Does the landlord deduct the increase of rating or charge the diminution of rate to the tenant? If not, then he can pay indirectly only a portion of the rate, and the tenant is entitled to some control over the portion of the rate he pays. Where the tenant has taken a lease, he must, from the annual increase in the rate, be a direct contributor to the county rate, and yet as the law now stands he has no share in its management. The remedy he proposed was simply that suggested by a Select Committee, which had reported on the subject. His Bill would be permissive. The majority of the Boards of Guardians in a county would, under his

Bill, in the first place, decide whether they would prefer that the Act should take effect in their county, and when a majority of the parishes had concluded in favour of it the county magistrates would be required to endorse their decision. The Boards of Guardians would then proceed each to elect a representative from among their number, and the justices would elect a like number from among themselves. The assembly thus consisting of one-half of county magistrates and one-half of elected members from the Boards of Guardians, would form the County Financial Board. The qualification for a seat would be a fixed £50 occupation, either in ownership or tenancy, and it would not be necessary that the representative should be a justice. Its members to go out of office annually, but capable of re-election. The duties of the Board to be strictly financial, not judicial, and consist in controlling the county finance; it would regulate the charges for the police of the county; the raising of rates to defray the expenses of building, hiring of stations, lock-up-houses, and would have the power, with the concurrence of the county magistrates, of suggesting to the Secretary of State an increase or diminution in the number of the police in each county; and the chief constable of the county to attend its meetings. It would have power to determine the salaries and superannuations of the officers of gaols, and of all questions arising as to the structure, but would have no control over the internal arrangements of the prison; but its members would have power to visit the gaols. In case of difference arising between the Board and the county magistrates in the matter of salaries, the appeal to lie to the Secretary of State. With regard to lunatic asylums the Board to have the control of all expenses attending the structure, but all power as to the internal regulations to remain with the county magistrates and the committee of visitors; its members to have the power of visiting the asylum, except in cases where it would be detrimental to a lunatic, and in case of disagreement appeal to the Secretary of State; and all powers given to the justices by the 15 & 16 *Vict.*, c. 81, would be given to the County Financial Boards constituted under the Bill; and an audit on the principle suggested by the Select Committee would be held under it. He fully believed that the county funds were generally administered by the magistrates with great care and judgment; but the system failed to give satisfaction to the great body of the ratepayers, who very naturally thought they were entitled to some control over this expenditure. The question was the more important on account of the increasing amount raised annually by county rates. In 1793 that amount was only £184,000, whereas in 1866 it had reached £2,415,000. The proposal to associate persons elected by the Boards of Guardians with the justices might, perhaps, encounter objection; but it should be remembered that those Boards already exercised important functions with regard to county rates. Whatever views might be held as to the machinery he proposed, the present irresponsible administration was an admitted anomaly, and he believed the adoption of the principle of representation would be hailed with great satisfaction by the ratepayers. The hon. Gentleman concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Wyld.*)

MR. KENDALL, in seconding the Motion, said, he hoped the Bill would be referred to a Select Committee. His own experience led him to believe that much discontent existed with regard to the manner in which county matters were managed; not that blame was imputed to the justices, but that the system was held to be faulty. Nine-tenths of the ratepayers had no control over the application of the rates. It sometimes happened that after a farmer had taken a lease at a certain rental, extraordinary outlay on prisons, lunatic asylums, or police stations led to a serious increase in the county rate, and the farmer was thus saddled with much heavier burdens than he had calculated upon. He did not say that such outlay was unwisely incurred; but when it was sanctioned by an irresponsible body complaints naturally arose. Very large powers were possessed by the visiting justices of lunatic asylums; they could double the staff or the salaries, and even the magistrates in Quarter Sessions often could not interfere. For his own part, he devoted much labour and care to county expenditure, and he believed his fellow-justices did the same; but it was impossible to convince the ratepayers that they were not entitled to a voice in that expenditure. While approving the principle of the Bill, and thanking the hon. Member for Bodmin (Mr. Wyld) for having introduced it, he thought it would require considerable revision; and in case it were referred to a Select Committee, he hoped some Irish Members would be placed upon the Committee, for they would be able to give valuable information as to the grand jury system, which was far superior to any machinery existing in this country.

LORD HENLEY said, he did not deny the right of ratepayers to some control over county expenditure; but he thought it was not correct to say that, at present, they had no control whatever. The items, though not the details, of that expenditure were fixed by Acts of Parliament, and in the passing of those Acts the ratepayers had a voice. The county rate in his own county for current expenditure was only 4*d.* in the pound on the rateable value, and he believed that, when some Returns which had been moved for were presented, it would be found that whereas the poor rates reached from 3*s.* to 6*s.*, and the highway rates 1*s.* 10*d.* or 2*s.*, county rates did not often exceed 6*d.* in the pound. The amount being thus small, and no fault being found with the working of the present system, he doubted whether it was desirable to take action further than by referring the Bill to a Select Committee. In its present shape, it would lead to constant collisions between the Financial Boards and the Finance Committees of the Quarter Sessions, for it appeared to place the Financial Boards in a position superior to that of the Quarter Sessions. It transferred the constabulary powers to the Boards, and it required the chief constables to attend their meetings. Being accustomed to attend certain committee meetings of the justices, they would be puzzled to know which masters to obey. Moreover, the salaries of prison officers were to be fixed by the justices and Boards, and, in the case of disagreements, by the Secretary of State for the Home Department. Such disagreements would be very unfortunate. The Bill, too, omitted to provide for representative powers in other than financial matters. Now, on such questions as the adoption of the Highway Act, which was carried in his own county, notwithstanding that seventy petitioners out of seventy-four objected to it, representative powers were as much required as with regard to financial matters.

MR. PERCY WYNDHAM said, that if the present system were changed he should prefer a purely elective Board to one of a hybrid character, composed partly of justices and partly of Poor Law Guardians. As *ex officio* members, magistrates would have less influence at the Board than if they were elected by the ratepayers. The management of gaols and asylums by the justices was efficient, and, considering the results, economical, whereas the administration of the Poor Laws by guardians was infamous and costly, and this did not offer much encouragement for making the change proposed. As to the transfer of the police management to the Financial Boards, in his county it had recently been thought advisable, on account of the number of Fenians employed in mines, to enlarge the constabulary force in as quiet a manner as possible; but Boards would be tempted to pay exclusive regard to economy, to the neglect of other considerations. He believed the present system, though an anomalous one, worked well. The Bill, if it became law, would introduce far greater anomalies.

MR. GATHORNE HARDY said, that, while of opinion that much of the feeling which had been shown of late years on this subject was due to misconception, he admitted that that feeling was entitled to consideration. As had been already pointed out, a great number of items of county expenditure depended on Acts of Parliament, the justices having control only over the details. The expenditure on gaols, lunatic asylums, and police, for instance, was imposed by statute, and the only question was, whether in any case magistrates sanctioned excessive expenditure. Now, he believed that, in the main, great judgment and economy were displayed, and in the county with which he was acquainted the Finance Committee devoted an enormous amount of labour and time to their task, checking the expenditure as efficiently as any other machinery which could be devised. He could see no advantage in referring the present Bill to a Select Committee. In the first place, it was a permissive one, and he thought such legislation should be discouraged. That House was at least as capable, as were the guardians of the poor, of arriving at a conclusion as to whether any change ought to be introduced into the system of managing the affairs of counties; and if such a change was to be made it was, in his opinion, desirable that it should be introduced by the direct authority of that House. Moreover, the Bill was what he might term a Japanese, or dual one, for the clauses relating to gaols, asylums, and police would bring about an immediate dead-lock between the justices and the Board. It was true that the hon. Member for Bodmin (Mr. Wyld) did not propose that the Financial Board should interfere with the officers of gaols or of the police in the discharge of their duties; but those officers would be dependent upon the Boards for their salaries; and it was impossible that those who had the control of the purse-strings should not interfere with and exercise an influence over the officials. Upon the whole, he was convinced that the Bill in its present shape would not be productive of benefit to the counties, nor would it carry out the purpose of the hon. Member for Bodmin. He believed there had been no inquiry into the subject since 1853, when a Bill brought in by the right hon. Member for Ashton (Mr. Milner Gibson) was referred to a Committee. That fifteen years should have elapsed without any measure having been introduced, or, at all events, without any discussion on the question, seemed to show that the conclusions of that Committee had not commended themselves to the acceptance of Parliament. During the last two years, Chambers of Agriculture had been established in various parts of the country, and had shown considerable interest in the question. In the interests, therefore, of the county magistrates, who were to a certain extent attacked, he thought an inquiry should be made. He objected, however, to referring to a Committee a Bill which required entire re-modelling in order to make it acceptable, and which proposed a Board not constituted in accordance with any recognized principle, its members being chosen, not by the ratepayers, but by guardians who had been elected for another purpose, and it being left to the majority of Boards of Guardians to decide whether thay adopted the change or not. The hon. Member for Cornwall (Mr. Kendall) had suggested that Irish Members should be placed on the Committee; but Irish and Scotch Members would be only embarrassed by the details of the present Bill; and the Committee would be better able to decide whether the complaints which were commonly preferred were well founded — whether much would be gained by a considerable change, and whether that change should be in the direction of the Irish or Scotch system, if no particular measure were before them. He should be prepared to move as an Amendment to the Motion for the second reading of the Bill—

> "That a Select Committee be appointed to inquire into the present mode of conducting the Financial Arrangements of the Counties in England and Wales, and whether any alteration ought to be made either in the persons by whom or in the manner in which such arrangements are now conducted."

He should prefer, therefore, the appointment of a Committee to inquire into the whole question, so that their Report might lay down principles on which any Government might frame a measure more consonant with the interests of the ratepayers and more acceptable to the House. Another reason for this course was the fact that the hon. Member for Thirsk (Sir William Gallwey) had given notice of a second Bill on this subject.

Mr. BRUCE said, he had understood the hon. Member for Bodmin (Mr. Wyld) to desire the adoption of the representative principle, the machinery by which it was effected being a matter of detail. The right hon. Gentleman opposite (the Secretary of State for the Home Department) had pointed out weighty objections to the machinery of this Bill; and he doubted whether it would be possible to reconcile the functions of the justices and those of the proposed Board. He thought it would be much better to send the whole question to a Select Committee than to have a Select Committee on the Bill itself. The result of sending this Bill, with its 140 clauses, to a Select Committee would be that all legislation on the matter would be postponed till another Bill was framed; because he thought the opinion of the Committee would be that the measure now before the House was impracticable. It might be said that it was important to have the principle of the Bill affirmed by reading it a second time. He doubted, however, whether one word would be said against the principle of the Bill. On the contrary, he believed that the tone of the discussion on the second reading would be equivalent to an affirmation of the principle of the Bill. Under these circumstances, he would recommend his hon. Friend the Member for Bodmin to accept the offer of the right hon. Gentleman the Secretary of State for the Home Department. He was afraid that, at present, the finance business of counties was got through in a rather hurried manner at Quarter Sessions; and, as it could no longer be said that the rate was levied on land exclusively—far the larger portion being raised from non-agricultural property, such as mines, docks, houses, railways, &c., which were frequently unrepresented by the justices—the time had come when a change should be made. The best manner of effecting this change would be a proper subject of inquiry before a Select Committee.

Mr. HENLEY said, the feeling out-of-doors was strongly in favour of inquiry into this subject, as the number of petitions presented every year in reference to it proved. He concurred with the right hon. Gentleman who had just spoken in thinking that it might be more satisfactory to the body of the ratepayers to give them a direct representation in the body to which the county finances were intrusted; but there were difficulties in the matter which this Bill did not meet, while it would give rise to other difficulties. He thought that under this Bill they would not get responsible persons to be visitors of gaols and lunatic asylums. It certainly seemed to have been drawn with great care; but how could the prisons and lunatic asylums be managed by persons not conversant with those places? [*A laugh.*] He did not mean persons who had been confined in prisons or lunatic asylums, but persons like himself, who, as county magistrates, had been in the habit of visiting such institutions. Those who had been members of the visiting Boards knew how often it occurred that strange things arose which required action on the moment. The manner in which the Bill proposed to limit the powers of the visitors of lunatic asylums to an expenditure of £10, under extraordinary circumstances, showed how difficult it was to deal with their management in a Bill. The great principle of the Bill was to create a dual government; but it was already seen that such a government might come to a dead lock; and if it did there would be a reference to the Secretary of State, and that would be a most expensive matter. He did not think that the finances of counties would, under this Bill, be more economically managed than at present; and he believed that the proposal of his right hon. Friend ought to be adopted if they desired to arrive at a proper conclusion upon the matter.

Mr. REBOW said, he wished to point out that assessment committees in counties were most useful bodies; and that under the Bill there would be great difficulty in obtaining the assistance of practical men on those committees. He did not object to the principle of the Bill, but he thought that the course suggested by the Secretary of State was the one to be pursued.

Mr. BARROW said, he took a very strong interest in this subject, because he felt that taxation and representation ought to go together. He brought this subject before the House some fifteen years ago, and it was not well received. Since that time it had slept, but it now found general approval. The best mode of procedure would be to refer the Bill to a Select Committee, for nobody disputed the principle of it.

Mr. CLIVE said, he thought that County Boards should be elective, but that they should consist of few members, as that would be more conducive to economy—the great object of the Bill. He differed from his right hon. Friend the Member for Merthyr (Mr. Bruce). He thought that, as a rule, the finance business of counties was not conducted in a hurried manner. But he believed the difference could be accounted for in this way, that his right hon. Friend was chiefly connected with a manufacturing county, while the county with which he (Mr. Clive) was connected was purely agricultural. He objected to many of the details of the Bill, and he believed one advantage in sending it to a Select Committee would be, that it would be rendered much shorter.

Mr. READ said, he was glad that so much unanimity was shown in the House in favour of the old constitutional principle that taxation and representation should go together. Allowing the Courts of Quarter Sessions to levy a rate was as objectionable in principle, as it would be to allow the House of Lords to tax the country. As to the dual principle, he would state, as far as his own experience went, that the magistrates and elected members worked very harmoniously together. They were told, as an argument against his Bill, that the landlord paid all the rates. That might be very good in theory, but it certainly was not entirely so in practice; for if 50 per cent were deducted from the poor rates the landlords might soon come to claim the advantage of it; yet if 1*d.* or 2*d.* were saved upon the county rate it would assuredly go into the tenants' own pocket. At the same time, he did not doubt but that the magistrates very generally managed the county expenditure with great economy; he knew they did so in Norfolk, and he believed their management would contrast favourably with that of town councils and other borough expenditure. But, on principle, the elective system ought to be introduced. Believing that permissive legislation was the worst of legislation, he objected to the Bill because it was permissive. Some of the details of the Bill were objectionable, and a few of them were actually mischievous. He therefore thought the hon. Member for Bodmin would do well to act on the suggestion of the Home Secretary; and in the name of the farmers of England he thanked the hon. Gentleman for introducing the Bill.

MR. W. E. FORSTER said, he also was glad to see so decided an agreement in the principle of the Bill. He hoped his hon. Friend would accept the offer made by the right hon. Gentleman opposite. He knew that in doing so his hon. Friend would be making a great sacrifice, now that a general assent was given to the principle of his Bill. But he hoped his hon. Friend would see that in this way he was more likely to attain the object he had in view; for it was now plain that no Bill would pass through Parliament this year; and if the question were ever to be properly settled it must be taken up by the Government of the country. With regard to what had been said by the hon. Member for Hereford (Mr. Clive), though he (Mr. W. E. Forster) did not represent an agricultural constituency, he represented a borough which, not having a separate Quarter Sessions, was rated by the county magistrates; and he was of opinion that the time had come when they must apply self-government, as regarded local affairs, to counties as well as to boroughs. For his part, he would rather deal even with the mistakes of elected bodies than with the most common-sense arrangements issued from the Home Office; because in the former case the feelings of the people would be with the Board. He trusted the result of this debate would be, not only to refer this Bill to a Select Committee, but that various other questions in connection with it would receive full consideration. He did not believe that, by any change that might be made, they would get a better or more economical expenditure than they had from the county magistrates. He believed that under an elective system they would have the same men to regulate these affairs, but with more power than before, because they would be backed by the support of the people.

MR. SCOURFIELD said, that so far as his own experience or observation went, the privilege of county magistrates to look after the county expenditure might be looked upon in the light of a *damnosa hereditas.* The duty was troublesome and onerous. As to the complaints made against the system, he agreed with those who represented it as a sentimental grievance. The noble Lord (Lord Henley) had stated the case with great clearness and fairness. The difficulty experienced was not that the magistrates spent too much, but rather that they could not be induced to spend what they ought to do, especially in the matter of prosecutions. Besides, most of the county expenditure was statutory, and not in the control of the magistrates; and he believed the utmost saving that could be effected would not amount to more than 2*d.* in the pound. The whole question was one of the administration of details. What was wanted was to satisfy any feeling existing in the country on the subject, and at the same time to preserve an effective machinery for business. He would recommend that a limited number of elected members should be added to the board of magistrates, where their advice and assistance would be given with great advantage. This Bill, containing 140 clauses, was not calculated, in his opinion, to effect the object in view. He hoped the hon. Member who introduced the Bill would be satisfied with the expression of opinion which had been evoked, and would act in accordance with the recommendation of the Secretary of State. There was no desire on the part of the magistrates of this country to conceal anything from the ratepayers, their only wish being to secure celerity in the transaction of public business.

MR. WHALLEY said, he understood that the last Speaker was opposed to the principle of the Bill. [Mr. SCOURFIELD: No.] The recommendation of the Secretary of State, that the general subject should be investigated by a Select Committee, was but a courteous way of shelving the Bill altogether. No question had ever been so frequently discussed, and under so many forms, as the present. The grievance had been spoken of as a sentimental one, but he was sure it was a practical grievance as well. He trusted, therefore, that the right hon. Gentleman would re-consider the matter, and allow this Bill to go before a Select Committee.

Mr. NEVILLE-GRENVILLE approving the principle of the Bill, and not desiring the subject to be shelved, hoped the hon. Gentleman would withdraw his Bill and that the House would unanimously assent to the proposal of the Government. He could not agree with the right hon. Gentleman opposite (Mr. Bruce), that the business at Quarter Sessions was usually transacted hurriedly. In the county with which he was connected, at all events, the greatest possible attention was paid to the county business and expenditure. He was likewise unable to concur in the remark of the right hon. Gentleman, that other property than land paid the greater portion of the rates. He hoped, indeed, that such a state of things would soon exist, but he feared that it did not at present. "The wish was father to the thought." In the counties with which he was acquainted the land and houses bore all the large and daily increasing burdens borne by parochial and county rates. It had been said by the hon. Member for East Norfolk (Mr. Read), that the dual principle had been found to work well wherever it was applied. But though it might do so in the case of Boards of Guardians, Cattle Plague Boards, Highway Boards and the like, it might not do so in the case to which it was now sought to apply it. It must be remembered that while the ratepayers were for the most part irresponsible persons, the magistrates were responsible for the peace of the county, for the safe custody of prisoners, and for the care of lunatics, as well as for the buildings; and they must see that the proper amount of money was spent for those purposes.

Mr. THOMAS PAGET said, there were two points which he considered to be highly objectionable in the Bill. The first was the permissive clause, and the second was the placing the representation in the hands of those who were themselves representatives of others. The elections, he thought, ought in every case to be directly made by those who were interested in the question. He therefore thought it wiser that the hon. Member should withdraw his Bill on the understanding that the whole subject should be taken up by a Committee. But he should feel bound to support the hon. Member if he proceeded to a division.

Major PARKER said, he did not deny the expediency of forming Financial Boards, but he wished to say that, whether the power of arranging county finances remained, as at present, in the hands of the magistrates, or whether a large ratepaying element were introduced, the influence and power of the local authorities would be exercised to little purpose so long as the Government were permitted to interfere with the magistrates, as in the case of the inspection of gaols. He had been led to make these observations in consequence of a very objectionable course which was taken in the western district of Suffolk, which he had the honour to represent, and which course had led to a lengthened memorial from the magistrates to the Home Secretary. That memorial might perhaps be under the consideration of the right hon. Gentleman at the present moment. He ventured to hope that the remarks which had fallen from several hon. Members in the course of this discussion might have some influence in inducing the right hon. Gentleman to weigh the matter well before he came to any decision upon it.

Sir WILLIAM GALLWEY said, that though he gave his assent to the proposal before the House, he did so most unwillingly, and he regretted the course that had been taken. The Secretary of State for the Home Department had informed him the other day that he could not consent to refer his Bill to a Select Committee, because it had not been printed. He (Sir William Gallwey) could not disguise from himself the fact that the House might almost be said to be a body of magistrates, and they seemed to think that a question affecting the interests of ratepayers might be postponed for any length of time. There was a strong feeling out of doors, among those who were deeply interested in the matter, that it ought to be dealt with as soon as possible. He was unable to discern any reason why the Select Committee should not make his and his hon. Friend's Bill the basis of its investigations.

Mr. SPEAKER interposed, and remarked that this was not the time for the hon. Member to discuss the question of the Bill going to a Select Committee. That could only be considered when the Bill had been read a second time.

Sir WILLIAM GALLWEY said that was undoubtedly so, but the Secretary of State for the Home Department had already stated the course he meant to take with regard to his Motion when it came forward. However, for the purpose of the present argument, he would simply assume that the Secretary of State might decide that the principle of a Bill should be referred to a Select Committee. Now, what valid reasons would there be against adopting such a course? If the Committee had something substantial to consider there would be a much greater chance of attaining the objects in view than if it had merely to decide upon an abstract question of principle, which, indeed, had been already discussed before more than one Committee. It had been asserted by the right hon. Gentleman the Member for Oxfordshire (Mr. Henley) that the landlords, either themselves or by their tenants, contributed very largely to the rates of the county; but he entirely denied that landlords paid anything vicariously by their tenants. Would any man say that the rents of farms had been lowered in consequence of the payment of rates by the tenants under the Union Chargeability Act? Indeed, if the tenants did not pay rates, why were they called upon to fill the office of guardian?

Mr. DARBY GRIFFITH said, he thought the hon. Member opposite (Mr. Wyld) was entitled to have the principle of the Bill verified in the ordinary way. If that were done it might then be referred to a Select Committee.

Mr. Serjeant GASELEE said, he hoped the hon. Gentleman would divide the House, in which event he should certainly follow him into the Lobby. It appeared to him that the Government were simply trifling with the question. The Leaders on either side of the House were wont to give advice to independent Members, and why should not the latter occasionally give advice to their Leaders? For his own part, he did not care either for his Leader or his party. He had independent opinions of his own, and always expressed them; and in the present instance he clearly thought the House ought to divide on the second reading. He had never been a magistrate, and had no desire to be one as long as magistrates were unpaid. The magistrates might generally do their business pretty well; though he confessed that, looking at certain recent appointments, they were not exactly the sort of persons he should like to trust. At all events, the ratepayers naturally wished to have some control over the application of their own money. What was the use of introducing Bills if those who had charge of them did not divide upon them. He should support the second reading, if it were only to show the Gentlemen on the Treasury Bench that they should not take everything into their hands. They wished to take everything and to give nothing. Adverting to the useless debates which had lately consumed the time of the House, the hon. and learned Member remarked that, unless they made more rapid progress with the business, it would be impossible to have a dissolution for two or three years.

Mr. BROMLEY-DAVENPORT said, he hoped the House would not attribute any weight whatever to the remarks just made by the hon. and learned Gentleman, who had but just entered the House, and, consequently, had not heard the discussion.

Mr. Serjeant GASELEE remarked, that he had been in the House for an hour and a quarter.

Mr. BROMLEY-DAVENPORT said, he thought it an unfortunate thing that the unanimity of the House should be disturbed by remarks like those which had fallen from the hon. and learned Gentleman. It was agreed on all hands that the Bill was good in principle, but that it was not in working trim, and therefore the proposition made by the Government had been almost unanimously acceded to.

Mr. MOWBRAY said, that in order to give his right hon. Friend the Secretary of State an opportunity of again addressing the House, he would formally move for the appointment of a Select Committee.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the present mode of conducting the Financial Arrangements of the Counties in England and Wales, and whether any alteration ought to be made either in the persons by whom or the manner in which such arrangements are now conducted,"—(*The Judge Advocate,*)

—instead thereof.

Mr. GATHORNE HARDY said, that in 1853 a Bill, similar to the present, was referred to a Select Committee, but nothing resulted from it. He now proposed that an inquiry should be made into the whole subject, in order that the Government might have the information necessary to enable them to bring forward a satisfactory measure.

Mr. WYLD said, there had been a unanimous expression of opinion in favour of the principle of the Bill, though several Members had pointed out that some of the details were faulty—an objection always made when a measure was introduced by a private Member. He was quite willing to refer the Bill to a Select Committee, in order that the details might be amended. He confessed, that the proposal of the Secretary of State was somewhat disappointing to him. He was, however, willing to assent to the proposition of the Government if it was to be understood that, on the Resolutions of the Committee being reported to the House, the Government would undertake the duty of bringing in a Bill. He added that the question was one which the Government ought to take in hand; it affected most important interests; and the present state of things was felt by a large, wealthy, and influential body to be a grievance. A measure of this kind ought never to be in the hands of a private Member. The promoters of this Bill would be delighted to afford the Government every assistance.

Mr. GATHORNE HARDY said, he could not possibly pledge himself and the Government as to what should be done. He presumed the Committee would inquire into the subject, and, when they had reported, the Government would be able to consider the question thoroughly. The views of the Committee and those of the Government might not be in accordance, or the Committee might be in direct opposition to the hon. Member.

Mr. Serjeant GASELEE was dissatisfied with the answer of the Home Secretary, and insisted upon a division.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 46; Noes 154: Majority 108.

Words *added.*

Main Question, as amended, put, and *agreed to.*

*Ordered,* That a Select Committee be appointed to inquire into the present mode of conducting the Financial Arrangements of the Counties in England and Wales, and whether any alteration ought to be made either in the persons by whom or the manner in which such arrangements are now conducted.—(*The Judge Advocate.*)

## PEERAGE (IRELAND) BILL—[Bill 83.]

(*Sir Colman O'Loghlen, Mr. Monsell, Mr. Shaw-Lefevre.*)

SECOND READING.

Order for Second Reading read.

Sir COLMAN O'LOGHLEN said, that in rising to move that the Bill be now read the second time, he wished to state its provisions and to explain the principles on which it was based. Many persons had asked, "What has the House of Commons to do with the Irish Peerage?" forgetting that it was constituted and regulated by an Act of which they had heard much during the last few weeks—namely, the Act of Union; and no alteration of the existing arrangements could be made without an Act of Parliament. There was nothing in the objection that this Bill ought to have been introduced into the House of Lords in the first instance. The Act of Union was brought forward first in the Houses of Commons of England and Ireland, and passed through them before it went to the Upper Houses. The first object of the Bill was to prevent the creation of any more Irish Peers. At the time of the Union the Irish Peerage was placed in the same position as the Scotch Peerage at the time of the Union in this respect, that instead of all Irish Peers having seats in the other House, it was arranged that the Irish Peerage should be represented by the election of a number of Peers. There was, however, this difference—that at the time of the Union with Scotland, the creation of any more Scotch Peers was prevented, while at the time of the Union with Ireland the right to create Irish Peers was preserved to a certain limited extent. The power of the Crown to create Irish Peers was forced upon the Irish House of Lords by the Duke of Portland. The objections urged against this power by the then Irish Peers were so strong that Lord Cornwallis wrote to the Duke of Portland expressing fears lest the Act of Union should be imperilled, and suggesting the compromise which was ultimately adopted. That was that the Crown should be at liberty to create one Peer for every three Peerages that might become extinct, and that when the number of Peers was reduced to 100, the Crown might create as many as it pleased to keep the number up at 100. It was popularly believed that the number must be kept up at 100; but the maintenance of that number was discretionary, and not compulsory. He hoped the Peerages of Scotland and Ireland would ultimately be united with the Peerage of England. At the time of the Union with Scotland there were 154 Peers of Scotland. Since then 76 Peerages had expired, and, deducting those that had been made British Peerages, there remained 36 Scotch Peers, of whom 16 were representative Peers, leaving only a small residue without seats in the Upper House.

At the time of the Union with Ireland there were 228 Irish Peerages, of which 60 had become extinct, leaving a remainder of 168, of which about 80 had been made British Peerages. He believed there were now 111 pure Peers of Ireland, and only 28 being representative Peers, 83 had no seats. Since the Act of Union 18 Peers had been created. To prevent any further creations was the first object of the Bill. If any Irishman was worthy of being created a Peer, he was worthy of the full rights of the Peerage and of a seat in the House of Lords. The Irish Peer occupied an extraordinary position. He had only the right of voting for one of the 23 representative Peers, and he was deprived of the ordinary privileges of citizenship, because he could not take part in the financial business of his country, and he could not be a Member of the House of Commons for any place in Ireland, though he might represent an English constituency. Therefore, unless he could secure election in England it was impossible for him to discharge any of the ordinary duties of his position. For these reasons the Irish Peerage ought not to be maintained, and to limit its continuance he proposed to prevent any new creations. He did not propose to interfere with promotion in the Irish Peerage, but he did propose to make some alterations in the present system of representative Peers. The representative Irish Peers were at present elected for life; but in Scotland the representative Peers were elected for one Parliament. Although an Irish representative Peer might succeed to a British Peerage, he still remained a representative Peer; and a case had occurred in which a representative Peer was for nearly two years in a lunatic asylum, there being no power to elect another until his death. No Scotch Peer who succeeded to a British Peerage could remain a representative Peer. If a representative Peerage of Ireland were to remain, as it must until the whole Irish Peerage became extinct or was absorbed in the British Peerage, it ought to be made truly representative as it was in Scotland; and he, therefore, proposed, without interfering with the existing rights of life Peers, that all elections after the passing of the Bill should be for a Parliament only; that any representative Peer becoming a British Peer by creation or succession, should, *ipso facto*, cease to be a representative Peer; and that if any representative Peer become mentally incapacitated, his seat should be declared vacant. He also proposed that a representative Peer might resign his position if he chose to do so. At present an elected Peer could not resign, but must hold office for life, even although he might be elected against his will. He further proposed that in the election of representative Peers cumulative voting should be introduced, so as to secure the representation of the minority. He would enable any Peer to give to one candidate as many votes as there were vacancies. At present the minority was wholly unrepresented, and it was impossible that that injustice could be remedied, as it was said to be in the House of Commons, by the Member for one constituency representing the minority in another. At present, he believed the election to the Irish Peerage was a mere matter of nomination, and the late Prime Minister appointed all the Irish Peers. [The Earl of Mayo: No.] Whether that were so or not, no one could be elected unless he professed those extreme Radical opinions which found favour on the Treasury Bench, and a moderate Conservative like those that sat at this side of the House had not the slightest chance of being elected. If this proposal of cumulative voting were adopted with respect to the Irish Peerage, he hoped it would be applied to the Scotch Peerage. A Scotch Peer could not sit for any place in England, Scotland, or Ireland; and if he did not belong to the dominant party he had no chance of being elected a representative Peer. The noble Lord the Secretary for Ireland (the Earl of Mayo) could hardly favour the continued creation of Irish Peers, which was only forced upon the Irish Peers at the time of the Union, that the Crown might have an additional means of conferring favour upon English supporters; for if the noble Earl could not find a seat in England or Scotland he would be excluded from public life, could take no part in the public business of his country, and would be compelled to vegetate upon his property. Prevent the further creation of Peers and in time the Irish Peerage would become extinct, naturally, as well as by the creation of British Peers, and in this way the Peerages of the three kingdoms would become amalgamated. Even if the House of Lords were increased by the number of the Scotch and Irish Peers (which he did not propose by this Bill) it would not be a large body compared with others. There were 466

Peers, including the recent creations; deducting Irish and Scotch representative Peers, Peers of the blood Royal, and Bishops, the whole British Peerage consisted of 385 persons; and the House of Commons consisted of 658 Members, whom it was proposed to increase to 666. It was a curious fact that there remained only 97 Peerages that were created before the accession of George III. Even if a large addition were made to the House of Lords, it was unlikely that it would be cumbersome or too large for the transaction of public business. The number of representative Peers ought to be increased, and if the Bill reached the House of Lords, it would be competent for their Lordships to introduce a clause increasing their number, and he hoped they would.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Colman O'Loghlen.*)

Colonel FRENCH opposed the Motion. The Bill was an attempt to interfere with Her Majesty's Prerogative, and a violation of the agreement made between the two countries at the time of the Union. The same proposal was made by his hon. and learned Friend last Session, though then in the form of a Resolution instead of a Bill. He had not heard from his hon. and learned Friend—either on that occasion or on this—any sufficient reason for the change. His hon. and learned Friend proposed to amalgamate the English and Irish Peerages, but the two Peerages were totally distinct. Many of the Irish Peers owned no land in this country, and had no ties connecting them with England; and he did not see why they should become English Peers. On the other hand, there were many distinguished Irishmen who had a claim to the Peerage of their own country, but none whatever to the Peerage of this country. Though some of the objections urged by the hon. and learned Baronet to the present state of things with regard to the Irish Peerage were sound and ought to be considered by the Government, he (Colonel French) did not think that this endeavour to abolish the Irish Peerage would meet with approval in Ireland, and he was surprised to find an Irishman proposing such a measure. He hoped the Government would give no support or encouragement to the Bill, and he moved that it be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Colonel French.*)

Question proposed, "That the word 'now' stand part of the Question."

Sir GEORGE BOWYER said, the House ought to hear from the Speaker whether a Bill of this sort, which directly limited the Prerogative of the Crown, could be entertained without the assent of the Crown.

Mr. GATHORNE HARDY said, he was about to ask the same question. He believed that the practice was settled, and that, though this Bill might go up to the last stage without receiving the Royal assent, it could not go beyond that stage. He did not think it was a measure that was at all pressing in its character; and could not undertake to advise Her Majesty's assent to its progress. Considering, therefore, the great pressure of other and more important business, he appealed to the hon. and learned Baronet not to proceed with it.

Sir GEORGE BOWYER rose to order—

Mr. SPEAKER: The right hon. Gentleman is quite correct in stating that, according to the practice of Parliament, a measure to limit the Prerogative of the Crown could not pass a third reading, unless the consent of the Crown had first been obtained.

Sir COLMAN O'LOGHLEN said, that if the Government had determined not to advise Her Majesty to assent to this measure, it was useless to proceed to a division. He had been more anxious to bring the matter forward than to press the second reading; and, hoping that in the new Parliament it would meet with more success, he would for the present withdraw it.

Amendment and Motion, by leave, *withdrawn.*

Bill *withdrawn.*

## ARTIZANS' AND LABOURERS' DWELLINGS BILL—[Bill 88.]

(*Mr. M'Cullagh Torrens, Mr. Kinnaird, Mr. Locke.*)

CONSIDERATION.

Bill, as amended, *considered.*

Sir FRANCIS GOLDSMID moved the insertion of a clause providing that the Act should not apply to cases in which the freeholder had successfully instituted proceedings and carried out necessary repairs. He believed that the Bill required far greater consideration by competent persons than it had yet received, and that in its present form it would not work.

New Clause (Act not to apply to cases in which freeholder has successfully instituted proceedings and carries out necessary repairs,)—(*Sir Francis Goldsmid,*)—*brought up,* and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

Mr. AYRTON said, that when the Bill was last before the House, the Government promised to examine its provisions and satisfy themselves whether it would work satisfactorily. He would be glad to know from the Attorney General, whether that examination had been made, and if so, what was the result?

The ATTORNEY GENERAL said, that having spent some time in the examination of the Bill, he had come to the conclusion that its provisions were unworkable. The hon. and learned Gentleman was proceeding to explain, by reference to the interpretation clause and other clauses, the difficulties which would arise with regard to the terms "lessee" and "owner" when—

Mr. SPEAKER ruled, that the question at present being, whether this particular clause should pass, a general argument could hardly be allowed upon that question.

Mr. AYRTON moved the adjournment of the debate in order that the preliminary question might be considered, whether in its present form this Bill should be allowed to pass? There was an understanding when the Bill was last before the House, that the Government would make inquiry and satisfy themselves whether the Bill would work. The Attorney General ought to be put in order, for the purpose of making that explanation.

Mr. HARVEY LEWIS seconded the Motion for adjourning the debate. He thought it a loss of time to discuss the Bill as it stood.

The ATTORNEY GENERAL, referring to the clause moved by the hon. Baronet, said, that in the present state of the Bill it only made the confusion in the Bill worse confounded.

Mr. M'CULLAGH TORRENS said, this Bill had passed through a Select Committee, and on two occasions had occupied the attention of the House at great length. During the whole of this time not the slightest intimation was given that there would by-and-by be such an explosion of legal difficulties. At this stage of the Bill he thought it would be idle to revise and re-consider the whole scope of the clauses. Therefore having done all in his power to carry the Bill, he must now lay upon the Government the responsibility of rejecting it. The Bill had been before the House for weeks, and he must ask the Government to consider, whether it was to the interest of the community that a large portion of the Session should have been wasted upon the measure, in consequence of their Legal Advisers discovering, at the last moment, invincible objections to it. He was astonished at this sudden change of tactics on the part of the Government; but if the Attorney General would confer with the framers of the Bill, the legal and technical objections which he had raised might yet be overcome.

Lord JOHN MANNERS said, that when this Bill was last discussed the understanding on the part of the Government was that the Law Advisers of the Crown should be requested to consider the particular question then raised. The Attorney General had endeavoured to state the result of that consideration to-day. The pledge given by the Government had therefore been strictly carried out. The Government were really anxious that a Bill of this public importance should pass into law; but of course it could only be on the understanding that it was properly framed to effect the object it had in view. He would suggest that the debate should be adjourned, not with the object of defeating a Bill in which the Government felt an interest, but in order that the Attorney General might confer with the framers of the measure and try to amend it.

Mr. HARVEY LEWIS said, the Bill was a hastily drawn one, which would be likely to do harm instead of good. He begged leave to move the adjournment ol the debate.

Mr. POWELL said, that in justice to his hon. and learned Friend the Attorney General, he must state it was an entire misconception to suppose that he was hostile to the Bill. At a late hour last night he had had a conference with his hon. and learned Friend, who expressed himself friendly to the general principle of the measure, but raised considerable objections to points of detail. If anyone imagined that it was possible to accomplish the object in view by the use of language which was not legally and technically correct he would find himself very much mistaken. He had said on many occasions that there were objections of a very grave nature to be overcome. Some of those objections had been removed, but others still remained. He thought that the originators of the Bill were under an obligation to the First Law Officer of the Crown for the attention he had given to the subject, because the result would be that a more perfect measure would be passed. He hoped that some delay might be allowed in order that the efforts of those who had interested themselves in the measure might not be attended with disappointment.

Mr. CANDLISH said, his hon. Friend (Mr. M'Cullagh Torrens) had misapprehended the object of the Attorney General, who did not wish to defeat the Bill, but only took exception to its machinery. It was most important for the proper working of the measure that its machinery should be as perfect as possible.

Mr. AYRTON said, he would beg to remind the House that, very early in the discussions on the Bill, he had pointed out that it was full of technical obscurities affecting the rights of real property, and that it would be absolutely necessary that the clauses which dealt with that subject should be very carefully revised by some competent conveyancer. He thought the Government had only done their duty in the course which they had taken.

Mr. BRUCE said, he had no doubt that the noble Lord the Chief Commissioner of Works had strictly redeemed his pledge, and that the Attorney General had correctly stated the defects of the Bill as regarded freeholders and successive leaseholders. He hoped that in any conference which might take place something more than the strict law of the question would be considered, and that policy would be also taken into account. His own opinion was that persons who had allowed their property to get into a state which was detrimental to the health of the population were not entitled to the same consideration as those who had not been guilty of such laches.

Mr. KINNAIRD said, that the difficulties connected with the question were so great that if attention was confined to technicalities it would be impossible to pass any Bill at all on the subject. The measure was one to which the people of the country were looking forward with great interest.

Mr. LABOUCHERE said, that whatever the views of the Government were, the metropolis was, in the main, opposed to the Bill. Not that any indifference was felt to the improvement of the dwellings of artizans, but it was thought that this Bill would not effect the object in view. The parishes had no confidence in the Metropolitan Board of Works, which was charged with carrying out the Bill, and they did not see why the City of London should be excepted from its operation. He could tell the House that, at the present moment, there was a notorious bill discounter who was buying up, on speculation, those houses with which the Bill would have to deal, in order to sell them again. Unless not only legal but substantial alterations were made in the Bill he should vote against it.

Mr. GOSCHEN said, he thought it unfortunate that the objections now raised by the Attorney General had not been made at an earlier period, before so much time was bestowed on the consideration of the details of the Bill. He felt bound to say in defence of the hon. Member for Finsbury (Mr. M'Cullagh Torrens) that he was over-ruled in Committee on the point of allowing the parishes to carry out the Bill. The reason why the City was excepted was because in the City the works required had been done, and no less than £84,000 had been spent on the dwellings of the poor. He challenged the hon. Member for Middlesex (Mr. Labouchere) to point out any district in the metropolis which had done the same. He would say boldly that the parishes were not as competent to deal with the subject as the City; for the parish authorities had been only ten years in existence, while the City authorities had existed for hundreds of years. He hoped if the Bill was to be re-considered its principle would be taken as settled.

Mr. GREENE said, he agreed with those who thought that the policy of the Bill should be assumed. The main object was the improvement of the sanitary condition of the poor, and he agreed with the right hon. Gentleman the Member for Merthyr Tidfil (Mr. Bruce) in thinking that men who had neglected their property to the injury of the public health were not deserving of the consideration to which others were entitled. He had observed that though the hon. Members for Marylebone (Mr. Harvey Lewis) and the Tower

Hamlets (Mr. Ayrton) had never directly opposed the Bill, they had taken every opportunity of throwing cold water upon it. [Mr. HARVEY LEWIS: No, no!]

MR. **AYRTON** denied that the hon. Gentleman was justified in saying that he had thrown cold water on the Bill.

MR. **M'LAREN** entreated hon. Gentlemen to enter into this question in a large and conciliatory spirit. The town clerk of Liverpool, who had been examined before the Select Committee, had stated that the Bill would be of inestimable advantage to that great city. He knew several other great towns to which it would be of the greatest benefit.

MR. **HENLEY** said, he thought that the recommendation that more time should be given for the consideration of one or two clauses was very reasonable. The hon. Member who had brought in the Bill knew that he (Mr. Henley) had done what he could to get the measure through. But the subject was very difficult, and it must be recollected that this year the Bill had not met with any unreasonable delay, but had gone through its stages very quickly. It should also be borne in mind that, with any measure which touched property, it was far better to take time so as to put the clauses into shape than to run the risk of the Bill foundering in "another place" on a matter of that kind. The hon. Gentleman knew what trouble the Select Committee had with the subject, and how one scheme after another was put by; and he would be well advised to allow these clauses to be well considered, so that there might be no difficulty afterwards in the working of the Bill. It would be ten times more likely to do good if they did not offend the prejudices of people who might be affected by the measure. It was easier to lead people than to drive them; and if they saw that their interests had not been neglected they would be much more likely to give their assistance in carrying out the Bill.

Debate *adjourned* till *Wednesday* next.

### MUNICIPAL RATE (EDINBURGH) BILL.

On Motion of Mr. M'LAREN, Bill to amend the Act of the twenty-third and twenty-fourth years of the reign of Her Majesty, chapter fifty, by abolishing a rate imposed by the said Act on all occupiers of premises within the extended municipal boundaries of the city of Edinburgh, *ordered* to be brought in by Mr. M'LAREN, Mr. DUNLOP, and Mr. BAXTER.

Bill *presented*, and read the first time. [Bill 99.]

### EJECTMENTS SUSPENSION (IRELAND) BILL.

On Motion of Mr. KENNEDY, Bill to suspend for a limited period or periods the application of the Law of Ejectment in Ireland to agricultural tenants holding from year to year, except for non-payment of rent, or upon the sub-division of farms, *ordered* to be brought in by Mr. KENNEDY and Mr. Serjeant ARMSTRONG.

Bill *presented*, and read the first time. [Bill 100.]

House adjourned at a quarter before Six o'clock.

## HOUSE OF LORDS,

*Thursday, April* 30, 1868.

MINUTES.]—SELECT COMMITTEE—On Poor Relief, The Earl of Stradbroke *added*.

PUBLIC BILLS—*First Reading*—Capital Punishment within Prisons* (83); United Parishes (Scotland)* (84); Marriages (Frampton Mansel)* (85); Broughty Ferry Provisional Order Confirmation* (86).

*Second Reading*—Petty Sessions and Lock-up Houses* (71); Perth and Brechin Provisional Orders Confirmation* (64).

*Referred to Select Committee*—Compulsory Church Rates Abolition (55).

*Committee*—Oyster and Mussel Fisheries* (58); Local Government Supplemental (1868)* (70).

*Report*—Oyster and Mussel Fisheries* (58); Local Government Supplemental (1868)* (70).

*Third Reading*—Partition* (67); Prisons (Compensation to Officers)* (72), and *passed*.

### COMPULSORY CHURCH RATES ABOLITION BILL.

(*The Earl Russell.*)

(NO. 55.) COMMITTEE.

Order of the Day for the House to be put into Committee read.

EARL **RUSSELL** said, he had already intimated that, although he should have preferred that the Bill should be considered in Committee of the Whole House, he should not object to the Amendment of which the noble Earl the Lord Privy Seal had given notice to refer it to a Select Committee. He did so, of course, on the understanding that the declaration made by the noble Earl, and also by the most rev. Prelate (the Archbishop of Canterbury), as well as by the Lord Chancellor, that the principle of the Bill would be adhered to, and that the Amendments proposed would be in the spirit of carrying out that declaration, so that the Bill might become an Act of Parliament, and were not to be made with the view of destroying the Bill altogether. It was on that understanding only that he agreed to the Amendment of the noble Earl. He would only further say that two points seemed absolutely essential—the one was that the compulsory power for collecting church rates should be abolished, and the other was that the Church of England should have the most convenient means which legislation could afford for collecting the funds necessary for those objects to which church rates were devoted. These were the objects of the Bill, and he hoped they would be carried out by the Bill as it came from the hands of the Select Committee.

*Moved*, "That the House do now resolve itself into a Committee on the said Bill." —(*Earl Russell.*)

THE EARL OF MALMESBURY said, that he was obliged to the noble Earl for assenting to the House going into Committee upstairs; because he was quite sure that they would be more likely to arrive at the object sought on both sides by that means; and that they would thus be able to make a comparatively good measure of it much more easily than could be done in a Committee of the whole House.

LORD LYVEDEN said, he regretted extremely that his noble Friend (Earl Russell) had assented to the Bill being referred to a Select Committee; for he was quite sure that the measure could be properly discussed in a Committee of the Whole House, and indeed that it was necessary for the public excitement that there should be such a discussion. The matter was of great public interest, and there was no subject that would have given the country a more favourable opportunity of judging how their Lordships perform their public duties than this question of church rates. Some of the speeches made on the second reading showed how admirably their Lordships were qualified to discuss such a question; and besides, in the House they had the assistance of all the right rev. Prelates, whilst in a Select Committee they would have but three or four of them. He ventured to say that the course which he suggested to their Lordships in 1860 was the one which it would be most proper to pursue on this subject; and that was to put an end to compulsory church rates—which was the object of this measure —and afterwards to introduce a Bill to regulate such voluntary assessments as should be made in lieu of church rates — that was a matter to which neither the Dissenters nor anybody else could object; but he thought that it would be much better to enact these regulations by a separate Bill. The main object of the present Bill was the abolition of church rates; and he was glad to see that upon the right rev. Bench there was an altered tone to that which prevailed there in 1860. He himself had always thought that for the sake of the Church, church rates should be abolished. There was no proper objection to the majority taxing the minority—the real objection was on religious grounds; and he thought that the Church had done quite right in consenting to abolish church rates now; for he believed that every contest about church rates made an additional number of Dissenters. The objection on the score of religious feeling once put aside, it would be perfectly easy to make satisfactory regulations for voluntary assessment. But this Bill did not contain clauses such as he should like to see passed upon that subject. He thought there was some confusion which would require to be carefully adjusted. He hoped that it was not intended to take evidence before the Committee, but merely to consider the clauses. The Bill had been called a compromise, but it was really no compromise at all; it was a concession made by the Church to the religious feeling of the country. It was much nore likely that it was a compromise in the Cabinet. Lord Stanley had declared his opinion against the levying of church rates, in writing and in speaking, and it might be that the Bill was to be referred to a Select Committee to get out of any difficulty upon that head. He feared that the delay arising from having a Select Committee might end in the rejection of the Bill—a result which would produce great danger to the Church. It was most desirable that the public should know that there would be no evasion, and that their Lordships would follow the lead of the other House and settle this question at once and for ever.

THE DUKE OF RICHMOND said, he could not but think that the remarks of the noble Lord (Lord Lyveden) would have been much more appropriate if made on the second reading of the Bill. The noble Lord could not forego the opportunity of drawing a comparison between the Bill which he had himself introduced some years ago—and to which, no doubt, he had a laudable partiality—and the measure now under discussion. But he (the Duke of Richmond) had no doubt the Bill now to be referred to a Select Committee would be found, when it came out of Committee, a better measure than that which the noble Lord introduced on a former occasion. The noble Lord had stated, as a reason why this Bill was assented to by the Government, that it was a sort of compromise among the Members of the Cabinet. Unfortunately for the Cabinet, they had not the benefit of having the noble Lord among them. If they had that advantage, the noble Lord would be able to state his opinion to the Cabinet; until, however, he favoured them by belonging to that body, he could not be accepted in that House as the organ of Her Majesty's Ministers. But the noble Lord regretted that this Bill should be referred to a Select Committee, and said that the public out-of-doors would think their Lordships incapable of dealing with a measure of this description, because it was so referred; but only two sentences after the noble Lord contradicted himself, because he said it had been ably discussed by the most rev. Prelate and those who followed him. He also gave the most conclusive reasons why the Bill should be referred to a Select Committee, because he said there was great confusion in its various clauses, that would require great care in their adjustment. He (the Duke of Richmond) agreed with the noble Lord that there was some confusion in regard to particular clauses; for instance, the second clause, according to the noble and learned Lord on the Woolsack, was such as no one could well understand; and the Bill dealt with a great number of local Acts, the operation of which a Select Committee, constituted as, no doubt, this would be, was a much better tribunal for discussing than a Committee of the Whole House. The purpose for which it was proposed to send the Bill to a Select Committee was in order that all those parts of the Bill which were at present obscure might be made clear, and in adopting that mode of proceeding there was not the least intention to smother the Bill. It was with these views that he was glad the House had acceded to the proposition for referring the Bill to a Select Committee.

The Duke of SOMERSET thought it should be clearly understood for what purpose the Bill was sent to a Select Committee. In his opinion, the object of referring the Bill to a Select Committee was not for the purpose of taking evidence, as the general principle of the Bill was well understood; but for the purpose of arranging and perfecting those clauses which provided for the voluntary collection of church rates, and of examining and considering those other clauses which affected local Acts, so that nothing might be done indirectly which was not intended to be done directly.

The Earl of MALMESBURY said, that, as the Bill was not a Government measure, it was not for him to stat ewhat course the investigation in the Committee might take; but it might be necessary for the Committee, without going into the general question as to whether church rates should be voluntary or not, to take evidence in reference to the effect of the Bill on local Acts.

Motion (by Leave of the House) *withdrawn;* and Bill *referred to* a Select Committee.

And, on Friday, May 1, the Lords following were named of the Committee:—

Ld. Chancellor
L. Abp. York
Ld. Privy Seal
D. Somerset
D. Richmond
D. Buckingham and Chandos
E. Shaftesbury
E. Carnarvon
E. Romney
E. Beauchamp
E. Russell
E. Kimberley
V. Halifax
L. Bp. London
L. Bp. Oxford
L. Bp. Carlisle
L. Delamere
L. Stanley of Alderley
L. Westbury.

House adjourned at a quarter before Six o'clock, till To-morrow, half-past Ten o'clock.

## HOUSE OF COMMONS,

*Thursday, April* 30, 1868.

MINUTES.]—New Members Sworn — William Earle Welby, esquire, *for* Parts of Kesteven and Holland, in the county of Lincoln; Edmund Turnor, esquire, *for* Grantham; Hon. Arthur Walsh, *for* Radnorshire; John William Miles, esquire, *for* Bristol.

Public Bills—*Resolutions in Committee*— Established Church (Ireland)—R.P.

*Ordered* — Sea Fisheries (Ireland) *; Vagrant Act Amendment.*

*First Reading*—Sea Fisheries (Ireland) * [101]; Vagrant Act Amendment * [102].

*Second Reading*—Documentary Evidence * [97].

### PASSENGER ACTS.—QUESTION.

Mr. GRAVES said, he wished to ask the Under Secretary of State for the Colonies, If he is aware that large numbers of passengers embark on board certain Foreign Transatlantic Steamers at Southampton without their being subjected to the provisions of the Passenger Acts; and, if there are any reasons why the provisions of those Acts should not be put in force with regard to such steamers in the same way in every respect as that in which such provisions are put in force in regard to British vessels?

Mr. ADDERLEY, in reply, said, he had taken pains to ascertain from the Mayor of Southampton what was the state of the case. He found that no British subjects were taken on board foreign transatlantic steamers at Southampton; but foreigners did come by small steamers to Southampton, from Havre and other continental ports, for the purpose of taking ship to America. The question of the applicability of the Passenger Acts was submitted to the Law Officers of the Crown in 1857, and an elaborate Opinion was obtained from them to the effect that those Acts did not apply to passengers shipped *in transitu*. The vessels in question, however, were overhauled on reaching the American port, and the Government of the United States had applied to Her Majesty's Government to make the terms of our Passenger Acts, which were less rigorous than theirs, more strict.

## COAL FOR THE NAVY.—QUESTION.

Mr. HEADLAM said, he would beg to ask the First Lord of the Admiralty, Whether it is correct that in the Form of Tender issued by the Admiralty for Coals to be supplied to Her Majesty's Dockyards for the year commencing May 1868, for the use of the Steam Vessels in the Navy, the only Coals named therein are those from Wales; if so, why, after the Reports made at Devonport, and the recommendations contained therein, as to the use of North Country Coals in Her Majesty's ships of war, these have been excluded?

Lord HENRY LENNOX: Sir, the right hon. Gentleman is quite correct in his statement; the Admiralty have this year reverted to the policy of supplying nothing but smokeless coal to steam vessels in the navy. This decision was arrived at in consequence of the strong representations received by them from the Commanders in Chief of the foreign squadrons, setting forth the great advantages possessed by the smokeless coals for all purposes of steam navigation: I may tell the right hon. Gentleman that bituminous coal is still on the Admiralty list, and is largely used for dockyard purposes.

## VICTORIA—CASE OF THE CONVICT MILLAR.—QUESTION.

Mr. HURST said, he wished to ask the Under Secretary of State for the Colonies, Whether any Report has yet been received from the Governor of Victoria on the case of George Millar, a prisoner at Melbourne under a sentence which is alleged to be illegal; if such Report has been received, what is the nature of it, and whether there is any objection to lay it upon the Table; and, if no Report has yet been received, when it may be expected?

Mr. ADDERLEY said, in reply, that a Report on the subject of Millar's sentence had been received in this country, in the May of last year. It stated that the Attorney General of the Colony of Victoria had consulted the Judges before whom Millar was tried, and agreed with them that the sentence should not be commuted. The Government in this country, thinking the question rather doubtful, referred it to the Law Officers of the Crown, who reported that, though there was doubt on the question, they considered the punishment excessive; the question being whether, on an indictment for fraudulent insolvency, the terms of punishment could be made cumulative on each of the four counts. The punishment awarded by the Statute was fifteen years' transportation or three years' imprisonment, whereas the sentence was six years' imprisonment. The Government had therefore referred to the Governor and Judges of Victoria for the purpose of taking the best course in the circumstances, and to remit any excess in the length of the sentence.

## INDIA—FURLOUGHS.—QUESTION.

Mr. GREGORY said, he would beg to ask the Secretary of State for India, Whether any alterations in the Indian Furlough System are contemplated; and, if so, when the Plan of the Government will be communicated to the House?

Sir STAFFORD NORTHCOTE, in reply, said, it had been felt for some time that the Furlough Regulations for the Indian Service had become obsolete and required revision. In the early part of last autumn he had communicated with Sir John Lawrence on the subject, and also referred it to a Committee of the Council of India. But before that Committee had made much progress news came from Sir John Lawrence that he had appointed a similar Committee in India, which, in due time, sent home a very elaborate set of Rules. These were carefully considered by the Committee of the Indian Council; their principle was entirely approved, but alterations in points of detail were recommended. A Despatch setting forth these recommendations had been forwarded to the Governor General, who was authorized to publish the Rules, with such amendment as the Government might think necessary after taking the recommendations into consideration. Probably the new Rules as finally framed would shortly be received in this Country.

## OBSTRUCTIONS IN THE RIVER THAMES.

### QUESTIONS.

Mr. HARDCASTLE said, he wished to ask the Vice President of the Board of Trade, Whether there is any probability that the unsightly groups of piling which obstruct the River between Westminster Bridge and Hungerford will be removed; and, if so, when; and, whether he can state with whom the responsibility rests?

Lord OTHO FITZGERALD said, he also wished to ask the Vice President of the Board of Trade, with reference to the "Piling Obstructions in the River" mentioned in the Question of the hon. Member for Bury St. Edmund's, If he would reply to the same query with reference to a much more formidable obstruction of the same nature that reaches full half-way across the River opposite Battersea Park, and has there existed for a much longer period?

Mr. STEPHEN CAVE stated, in reply, that the piles alluded to by the hon. Member for Bury St. Edmund's were erected by the Waterloo and Whitehall Railway Company under their Act of 1865. The works had been at a stand-still since October, 1866, and the Directors had stated at general meetings that they were without funds. Their powers expired in July, 1870. They had brought in a Bill for extension of time this Session, which the Thames Conservators had opposed, and the Company had agreed to a provision that all the works on the river should be completed by July, 1870. After that date the Board of Trade or the Conservators might remove the obstructions. With regard to the Question of the noble Lord the Member for Kildare, the obstruction off Battersea Park was the temporary staging of the Albert Bridge. The Act was passed in 1864, and the powers expired in 1869, when the obstruction might be removed in a similar manner. He was afraid the responsibility rested in both instances with the Committees of Parliament which passed the Bills.

## SLAVE TRADE, ZANZIBAR.

### QUESTION.

Sir FOWELL BUXTON said, he would beg to ask the Secretary of State for Foreign Affairs, If the Sultan of Zanzibar has lately offered to make any arrangements for the suppression of the Slave Trade between that island and the mainland; if any conditions were attached to his offer; and, if it has or has not been accepted by Her Majesty's Government; and, if not, for what reasons?

Lord STANLEY said, in reply, that if the hon. Member would refer to the State Papers published this year, pp. 112-114, he would find a full statement of the offer which had been made by the Sultan of Zanzibar, and of the conditions that accompanied them. Those proposals were still under consideration. Her Majesty's Government were fully aware of the desirableness of that offer, having in view the suppression of the Slave Trade. There were several questions, partly of policy and partly of good faith, to which it was impossible to shut their eyes, and which would, therefore, receive due attention at the India Office. A reference had been made of the whole question to the Government in India, but no answer had yet been received.

## CATTLE PLAGUE.—QUESTION.

Mr. READ said, he wished to ask the Vice President of the Council, When the final Report on the Cattle Plague, ordered by the Lords of the Council to be prepared by the Veterinary Department will be completed; and, if it is the intention of the Privy Council to place that Report upon the Table of the House?

Lord ROBERT MONTAGU replied, that the Report was being prepared with as little delay as possible. The hon. Member was, perhaps, aware that all the compensation claims had not yet been decided, which delayed the completion of the statistical portion of the Report. He trusted, however, that the Report would be completed and laid upon the table before the end of the Session.

## THE CONVICT BARRETT.—QUESTION.

Mr. REARDEN said, he would beg to ask the Secretary of State for the Home Department, Whether it is his intention to recommend to the Crown the respiting of the prisoner Michael Barrett, against whom a verdict of guilty was returned by the jury, and sentence of death passed by the Judge on his trial at the Old Bailey on the 27th instant, notwithstanding the sworn testimony of six witnesses, who proved that the prisoner was not in England at the time the crime was committed for which he has been found guilty, in order to afford the prisoner an opportunity of producing further evidence to establish his innocence?

Mr. GATHORNE HARDY: I regret, Sir, that an hon. Member of this House should think it his duty to put such a Question to me. Under the circumstances, I think it my duty to decline to answer it,

Mr. REARDEN announced his intention of calling the attention of the House to the subject.

## ARMY—PROMOTIONS IN THE COLDSTREAM GUARDS.—QUESTION.

Sir PATRICK O'BRIEN said, he would beg to ask the Secretary of State for War, Why the promotions in the Coldstream Guards in succession to Captain and Lieutenant Colonel Clive have been delayed since the 14th of March; whether it is proposed that the present number of Lieutenants and Captains in that Regiment be reduced; and, if not, why has the Regiment been kept short of its proper complement of officers; and, whether there are in the Coldstream or other Regiments of Guards officers qualified by service to fill such vacancy?

Sir JOHN PAKINGTON: Sir, the vacancy caused by the promotion of Captain and Lieutenant Colonel Clive has not been filled up; but there is no intention whatever to reduce the number of officers in that Regiment. When the vacancy occurred it was discovered that a very unusual state of affairs existed in the Regiment—one nearly without precedent; the six senior Ensigns of the Coldstream Guards were not qualified by service for their promotion, while of the whole sixteen Ensigns only two were so qualified —one of them standing seventh upon the list, and the other being, as it happened, the junior Ensign of the Regiment. The question then arose whether these two officers were entitled to have their claim to promotion over the heads of all their fellows recognized, the principle if acted upon in the case of the officer who stood seventh being, of course, binding on the other case also. Now the junior Ensign is an officer who has lately left the Rifle Brigade, and if he were to be promoted, he would be passed over the heads of sixty-seven officers of his late Regiment, the Rifle Brigade, and fourteen other officers in the Coldstream Guards, so that altogether he would have attained the rank of Captain in the Army over the heads of no less than eighty-one other officers. It was considered very undesirable that the course of promotion should be thus interfered with; and as only a few weeks will elapse before the senior Ensign will be qualified, it was thought better to wait before making the appointment.

## THE ROYAL ACADEMY.—QUESTION.

Mr. LAYARD said, he rose to ask the First Commissioner of Works, Whether it be true that the Royal Academy has nearly completed its premises at the back of Burlington House, and that they will be ready for the annual Exhibition of 1869, but that the Royal Academy will be unable to take possession of them until the Library of the Royal Society has been removed from Burlington House; and, whether he will take immediate steps to find proper accommodation for that Library, so that the Royal Academy may at the earliest period remove from the National Gallery in Trafalgar Square, in order that adequate space may be provided for the exhibition of the National Pictures?

Lord JOHN MANNERS, in reply, said, the building for the Royal Academy behind Burlington House was being proceeded with very rapidly; but whether it would be ready in time for holding the Exhibition of 1869, owing to the shortness of the notice, he had not been able to ascertain. With regard to the very large Library belonging to the Royal Society, which consisted of something like 100,000 volumes, it was obvious that to ask the Royal Society to remove twice over so large and valuable a collection of books would be a course that could not be taken without grave necessity. If it were found impossible to complete the building in time for the Exhibition of 1869, he still hoped that some temporary arrangement might be made; and he could assure the hon.

Member that no efforts on his part would be wanting to the attainment of so desirable a result.

## IRELAND—PRESBYTERY OF ANTRIM.

### QUESTION.

SIR CHARLES LANYON said, he would beg to ask the right hon. Member for South Lancashire, Whether, when he presented a Petition on the 27th instant from the Presbytery of Antrim, in favour of his Resolutions, and against the further grant of the *Regium Donum*, he was aware that the said Presbytery is altogether unconnected with the General Assembly of the Presbyterian Church of Ireland, and that the said Presbytery is altogether an Unitarian body and does not represent the feeling of the Presbyterians of the General Assembly of Ireland?

MR. GLADSTONE: Sir, I confess—I am stating my own opinion—it appears to me that a Question of this kind is well fitted for the hon. Gentleman if he pleases to produce it in a speech, but wholly unfitted to be directed to me. I may have been aware of these things. [“ Oh, oh!”] I shall only say that I do not think it would be convenient for me to set the example of saying whether I was aware of that or not. It is enough for me to say that I believe I described that body with perfect accuracy as the non-subscribing Presbytery of Antrim, recipients of the *Regium Donum.* And I own I should have thought that the very words I used, “the non-subscribing Presbytery of Antrim,” would have conveyed to the mind of the hon. Member, and to the minds of other hon. Members, that that Presbytery did not belong to the General Assembly of the Presbyterian Church, which is, I believe, a subscribing Church.

SIR THOMAS BATESON: I beg to ask the right hon. Gentleman, If he is aware that the petition was signed only by the Moderator and the Clerk of the Presbytery; that those gentlemen did not appear on the face of the document to have had any authority to represent the Presbytery; and that the petition did not purport to have emanated from the general body?

MR. GLADSTONE: I own that I am quite at a loss to say anything of the courtesy of the hon. Gentleman in putting to me this Question without giving me notice. I am quite at a loss to comprehend its meaning. The Presbytery of Antrim, I apprehend, is a body known to the law, and I can conceive nothing more regular than that the Presbytery should petition by means of a petition signed by the Moderator and Clerk of the Presbytery.

## ROMAN CATHOLIC OATH.

### MOTION.

MR. FREVILLE SURTEES moved, “That the Oath taken by Roman Catholic Members previous to the alteration of the Oath on the 30th of April, 1866, be read by the Clerk at the Table.”

MR. GLADSTONE: Mr. Speaker, I rise to oppose the Motion.

MR. BOUVERIE: I rise to order. I am not about to speak upon the question my right hon. Friend has raised; but I apprehend that the practice of the House is clear. Any portion of an Act of Parliament that is in existence the Clerk may be called upon to read, provided that it be relevant to the subject-matter of debate. But something which has been repealed by Parliament, and which has no existence whatever on the statute book, he can be no more called upon to read than to read a passage from *Hume's History of England*, or any other book.

MR. SPEAKER: The only argument that could be urged for the Motion would be that there are some Members in the House who took the Oath in its original form.

MR. FREVILLE SURTEES: I apprehend that the Oath taken in 1865 by those Members who did then take it is still binding.

MR. GLADSTONE: Then I oppose the question upon its merits. I was so far sensible of the point raised by my right hon. Friend (Mr. Bouverie) that I did intend before proceeding to say anything to satisfy myself by a reference to you, Sir, that I am not interfering with a known and undoubted privilege of Members of this House. But it is the policy of this Motion to which I rise to object. My right hon. Friend has justly stated that this Oath is part of a law not now in force. Under such circumstances, it is enough for me, I think, to say that there is not the presumptive title to the reading of it at the table which there would be if it were a Law actually in force. And if there be no such presumptive title, and I am to ask myself with what object this Motion is made, and what good it can possibly produce if it were read, it appears to me to be only an attempt to stir up the embers of religious animosity, to narrow the privileges of Members of the House, and not only so, but to place what would seem to be the opinion of the House — though it might only be the opinion of the hon. Member himself — between the Roman Catholic Members of the House and the great and solemn duty they are now called upon to perform,—a duty which I trust and believe they will perform, exercising precisely the same powers and rights, and with exactly the same scope and breadth of freedom given to them as appertains to any one.

**Mr. DISRAELI**: I will not attempt, Sir, to argue in favour of the objection raised by the right hon. Member for Kilmarnock after your decision. But I confess I entirely sympathized with the objection taken; and I hope my hon. Friend (Mr. Freville Surtees) will not persist in his Motion. If he wishes to refer to the historical document he has now asked for, he can do that in his speech. Every one must feel that every Roman Catholic Member is equitably bound to conform to the existing law, and to that alone. But I would remind my hon. Friend that it is in his power if he likes to refer in his speech to the document in question. I hope, therefore, he will not place this House in the position of going to a division in which, no doubt, the great Majority of Members would be upon the one side.

**Mr. FREVILLE SURTEES**: You, Sir, have ruled that the Roman Catholic Members who took the Oath before the 30th of April, 1866, are bound by the Oath taken by Roman Catholic Members previously to that time, I beg to withdraw my Motion. ["No, no!"]

**Mr. SPEAKER**: The hon. Member has misconceived my meaning, I gave no such decision as he apprehends. The House has undertaken to decide the Motion on its merits.

Question put, and *negatived*.

## ESTABLISHED CHURCH (IRELAND).

### COMMITTEE.

Acts *considered* in Committee.

(In the Committee.)

(1.) Question again proposed,

"That it is necessary that the Established Church of Ireland should cease to exist as an Establishment, due regard being had to all personal interests and to all individual rights of property,"—(*Mr. Gladstone*:)

*Mr. Gladstone*

Amendment again proposed,

To leave out from the first word "That" to the end of the Question, in order to add the words "so long as the Union between Great Britain and Ireland continues to exist, it is just and consistent that the principle of the Established Church should be maintained in Ireland, and its endowment on a scale suitable to the wants of the population,"—(*Sir Frederick Heygate*,)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the proposed Resolution."

**Sir MICHAEL HICKS-BEACH** said, that even at the risk of wearying the Committee by a reiteration of arguments which had already been used, he should prefer to apply himself to points raised in this debate rather than to ransack volumes of *Hansard* or files of newspapers in order to establish charges of inconsistency against those who now advocated the destruction of the Irish Church. He did not think that the question before the Committee would be advanced by showing that any Member of that House had changed his opinion. It had been advanced on the Opposition side that those who opposed the Resolutions had not brought forward arguments in support of the existing ecclesiastical arrangements in Ireland. He submitted, however, that those who proposed to make a great change in the relations between Church and State in the United Kingdom were bound to show that such a change was desirable, rather than hon. Gentlemen on his side were bound to prove that the existing state of things could be defended. A state of things being in existence was *primâ facie* an argument for its being continued; unless, indeed, they were to accept the paradox of Mr. Spurgeon, and argue that because the clergymen of the Irish Church were among the best of their order therefore the distinguished favour of disestablishment should be conferred upon them. Therefore, unless a good case were made out for the Resolutions, the Committee ought not to agree to them. In this matter there were two questions—one of establishment, and the other of endowment. Now, it must be remembered that the same reasoning which would justify the disendowment of the Established Church would also justify the disendowment of any other sect or religious body. With regard to these glebe lands of the Irish Church, which were given to it by the State, it might be argued that the State had a right to deal with them; but the main part of the revenue of that Church was derived from tithe, which never belonged to the State except as a fund which might be devoted to religious purposes; and since the payment of tithe was transferred to the landlords in 1834 he could not see that the impost was any grievance to the Roman Catholic people. The tithes formed a fund which had been devoted to religious purposes from the earliest period; and so long as they continued to be so applied neither the State nor the landlords had any right to them. He believed that the decrease of the Church revenues in Ireland, owing to the change made in 1834, had been more than commensurate with the decrease of the Church population in that country. If the revenues of the Church were to be taken by the State, the State ought to show, first, that in being devoted to the Church they are devoted to a bad object; and secondly, that they are capable of being applied to a better object. Now, he was unable to understand how any hon. Gentleman who was a member of the Established Church could consider that the funds of the Church in England were devoted to a good object, and that the revenues of the Church in Ireland were devoted to an object purely bad; although, of course, any one might argue that the revenues of the Church of Ireland were disproportionate, and that that Church ought to be content with less. But how could the surplus revenues be more beneficially expended? To apply them to the diminution of the poor rates would in reality be a benefit to the landlords and not to the people of Ireland. If, as had also been proposed, they were devoted to the purchase of land and the creation of a peasant proprietary, a certain amount of benefit might no doubt be conferred on the persons who were fortunate enough to become purchasers of the land; but would not such a proceeding tend to injure those who depended for their income on their manual labour, and who would have less chance of being employed if a peasant proprietary supplanted the large farmers? As to the suggestion that the Church revenues should be applied to secular education, he did not know of any proposal more calculated to set one class of the people of Ireland against another. The right hon. Gentleman the Member for South Lancashire had proposed that something like three-fifths of its revenues should be left to the Church; but, although no doubt the right hon. Gentleman was serious in this intention, it certainly appeared to him to be a bribe for the purpose of keeping the Church dignitaries and clergymen quiet during their lives. It should be remembered, however, that the incomes of the clergy were not like the revenues derived from ordinary freeholds, but were paid for the performance of certain services, and it was from that point of view only that the vested rights of the clergy could be recognized. It was said, however, that the State had power to deal with this property because it frequently dealt with private property. But there was no force in this argument, as the State never interfered with private property without awarding ample compensation, which was not proposed to be given in the present instance. It was true the State had in many cases interfered with corporate property in order to provide for its better management, or to render it more efficient for purposes to which it had hitherto been devoted; and he saw no reason why the revenues of the Irish Church should not be dealt with in like manner, and for a similar object, after the Royal Commission had presented their Report. For his own part he extremely regretted that no action had been taken some three or four years ago by those who were interested in the Irish Church of correcting the anomalies that undoubtedly existed. Since he had had the honour of a seat in that House, the question had been brought forward several times by Members on the opposite side, and more than once he had experienced great difficulty in determining how he should give his vote, on account of his thinking that the present distribution of Church property in Ireland was indefensible. But when the hon. Member for Kilkenny (Sir John Gray) brought forward his Motion, and declared himself in favour of disestablishment and disendowment, he felt it his duty to vote against it. The Establishment of the Protestant Church was said to be a relic of ascendancy; but in general there was not much harm in relics, and it would be difficult to show that this particular relic had done any real harm to anybody. The fact of the Church being Established in Ireland gave a right of precedence to the Archbishops and Bishops of that Church; but there was nothing whatever to prevent the Roman Catholic prelates from exercising their functions and assuming what titles they pleased, nor was there anything to prevent them from attending any public ceremonial. He could not see, therefore, how the Roman Catholic prelates were injured by the existence of the Establishment. The special correspondent of *The Times* stated, that on the occasion of the recent visit of the Prince of Wales to Ireland, the only reason which prevented Archbishop Cullen from being present at the grand ceremony in St. Patrick's Cathedral was the circumstance of St. Patrick's being a Protestant Cathedral. But it would be a far greater spoliation than was proposed or anticipated by the Member for South Lancashire if that cathedral were transferred to the Roman Catholics. The noble Lord the Member for North Lancashire (the Marquess of Hartington) had remarked that a grievance, though a sentimental one, might be a very great one notwithstanding; but surely it could not be said that a grievance existed unless some definite harm was done, and he believed that the Irish Church had not done any harm to a single individual. Now, when it was considered that the Roman Catholics did not contribute a penny to the revenues of that Church, and that that Church did a great deal of good even beyond its own pale, he thought it might be fairly said that a sentimental grievance was the only grievance remaining. If the property of the Church were confiscated, how could it be expected that capitalists would be encouraged to invest their property in Ireland? As to the argument that the disestablishment of the Church would secure peace in Ireland, he would advert to the fact that the discontented portion of the people wished to deal with the land and not with the Church question, which was purely a priestly and not a popular grievance. Those who talked of the Irish grievance should think of the population of Ulster, and of the large proportion of the Roman Catholic laity who did not care in the slightest degree about the disestablishment of the Church. There was no doubt that disestablishment would be a great gain to the Roman Catholic religion, which would be placed in a position of greater power and influence in Ireland. Now, such a result would certainly not be conducive to the material prosperity of that country. It was said that the Irish Roman Catholics must be conciliated; but what was to become of the Irish Protestants? Were the loyal to be punished that the disobedient might be rewarded? The cause of Protestantism in Ireland could not be maintained apart from the Irish Establishment. If the Establishment were abolished in Ireland and the parochial system to be changed to a congregational system the greatest bulwark of Protestantism in the South of Ireland would be at once removed. The few Protestants who now maintained their faith in that part of the country must inevitably succumb and be merged in the Roman Catholic population around them. Those who voted for the Resolutions of the right hon. Gentleman the Member for South Lancashire appeared to be opposed to the principle of the Establishment not only in Ireland, but in England as well. They did not propose to disestablish the Protestant Church in Ireland merely for the sake of placing it on a footing of equality with respect to the Roman Catholic Church in that country, but in order that they might strike a blow at the Established Church in this country. They proposed, in fact, to leave the country without an Establishment at all. Well, that might do in a new country, such as America, where all sorts of novelties prevailed; but it certainly would not suit England, with its ancient Constitution and its traditional social system. The existence of the Established Church was inseparably bound up with the welfare of Ireland. If the course proposed in the Resolution of the right hon. Gentleman were to be adopted towards Ireland, what course was to be pursued with respect to Wales, where the Dissenters were more than two to one? Not that he would himself argue for an Establishment on the ground of numbers. That might justify the preponderating influence of a sect, but not its monopoly of the favours of a State. He preferred to rest his support of the Established Church on the ground that it was for the interest of the State and for the interest of religion. He supported the Established Church of England because he believed that it embodied the true and tolerant principles of Christianity. It might be thought that this argument was inconsistent with the support of the Grant to Maynooth and the *Regium Donum*; but he thought those grants might be defended on the ground of expediency, and he would even go so far as to say that in cases where a sect was willing to accept that favour of the State, and which did not amount to establishment and endowment, it would be lawful and right so to help them. He would quote a few words from the right hon. Member for South Lancashire—not for any change of opinion they might indicate, but because they expressed the ground upon which the Established Church ought to be maintained. The right hon. Gentleman had said—

> "There was no principle on which the Church Establishment could be maintained or permanently upheld but that it was an Establishment that ought to be. . . . The Government, as a Government, is bound to maintain that form of belief which contains the largest portion of truth and the smallest admixture of error."

But it was not only on that ground he (Sir Michael Hicks-Beach) would support the Established Church. It was the greatest possible security we could have for the independence of our clergy. In short, the existence of the Establishment was inseparably bound up with the peace and prosperity of the country. The other night the noble Lord the Member for North Lancashire (the Marquess of Hartington) had expressed a hope that the cry of "No Popery" might not be raised. It was not an uncommon thing for the Whigs to discourage "cries" when they were likely to prove injurious to their party interests, though they never scrupled to raise a popular cry when it was to serve their own turn. Without going back to the old cry of "Cheap Bread," what party was it that the other year got up the cry of "Reform," a cry that culminated in worse riots, and more dangerous to the Constitution and to the country, that had ever been produced by the cry of "No Popery." He must say he regretted that, upon that occasion, censure had not been more freely bestowed upon those shameful proceedings from the right hon. Gentleman sitting on the front Opposition Bench. For himself, he was not in favour of extreme cries of any kind; but he believed the people of this country did entertain a dread of the extending power of the Church of Rome. It seemed to him that even in the present Parliament they were likely to ascertain the existence of that feeling. Within the last few days elections had been held in various parts of the kingdom, and in all these elections the Irish Church had been the prominent question. He would not speak of such counties as Radnorshire or South Lincoln, where candidates of the same opinions with the late Members had been returned without opposition, but they had lately seen two boroughs—Cockermouth and Grantham—reject those candidates who were opposed to the Irish Establishment. [*Laughter.*] They might laugh at Cockermouth; but he would remind them that Cockermouth had always returned, up to this time, a Liberal Member. Look at the great city of Bristol, with its free and important constituency! That chosen resort of eminent Nonconformists had hitherto been a stronghold of the Liberal party, but now an eminent Nonconformist had been defeated there. At the last election the Conservative candidate was defeated by a majority of nearly 1,000 votes, and yesterday the Conservative candidate was returned by a majority of 196. It was useless to attempt to deny the significance of these facts. Next came East Kent, one of the largest and most independent counties in the whole of England. A Conservative Member was returned at the last General Election by a majority of 289, and he was speaking within bounds when he said that, on the present occasion, the Conservative would carry his election by a majority of more than 500. These events foreshadowed still greater changes when the great question before the House should be fairly considered by the country. Whatever might be the result of the divisions upon the Resolutions—whether carried by larger or smaller majorities—no one could say that this question would be finally settled in the present Session of Parliament. The question, he trusted, would be considered in a calm and dispassionate manner, and be thoroughly sifted; and he hoped and believed the result would tend to advance the interests of truth and unity, not only in Ireland, but in every part of the United Kingdom.

Sir COLMAN O'LOGHLEN said, that before the Recess two modes of dealing with the Irish Church were suggested; the policy of procrastination recommended by the Government, and the policy of action proposed by the right hon. Gentleman the Member for South Lancashire. The latter policy was adopted by a majority unexampled in modern times for numbers and weight; and the right hon. Gentleman now proposed this Resolution not as Leader of the Opposition, but as Leader of the House. The right hon. Gentlemen who occupied the Treasury Bench were in fact not Her Majesty's Government but Her Majesty's Opposition. Whether the position which they occupied was one consistent with their dignity was a point which he would not now touch upon, for probably another opportunity would be afforded of discussing it. With regard to the Resolutions he did not admit that their adoption by the Committee would amount to an act of "foreign conquest;" but he could not deny but that it would be a most important step, more particularly as it would altogether alter the policy hitherto pursued towards Ireland. It was an attempt to do by justice what England had failed to do by arms—namely, to acquire the friendship of the Irish people by laying down the principle that there should be no ascendancy in this land founded upon any particular form of religious belief. He contended that the vote for going into Committee did not, as had been said, involve an uncertain issue; the question raised was really one of Establishment or no Establishment. Nor was the majority an English, a Scotch, or an Irish majority; it was a majority of representatives of the three nations. In a House of nearly 600 Members there voted for going into Committee 240 English Members, and 212 in favour of the Government; of the Scotch Members 37 voted for going into Committee and only 13 in favour of the Government; of the Irish Members, who were more peculiarly interested in the question, 55 voted for the Motion and 45 supported the Government. A majority, therefore, of the Members of the three kingdoms had voted in substance for the disestablishment of the Irish Church. The hon. Baronet (Sir John Hay) had called the Roman Catholic religion a superstition, and said that the Scotch people would not be "the slaves of a dominant superstition, or the subjects of an infidel State." Such sentiments as these were certainly not calculated to promote good-feeling throughout the Empire; and he hoped that the example of the hon. Baronet would not be followed. Nearly every Member of the Treasury Bench had now spoken upon this question. Secretary after Secretary, Under Secretary after Under Secretary, Law Officer after Law Officer, had addressed the House, and the other night even the Household had pronounced its opinion; but not one of them had ventured to defend the Irish Church upon its merits, or to maintain that, if it had not existed, it would be for the interest of the country to establish it. If one might judge from the speech of the noble Lord (Lord Stanley), he was not strongly in favour of the Irish Church—*volo non valeo* seemed to represent his mind—and he had no doubt but that the noble Lord would, if he could, have expressed his opinion, in language which the noble Lord would recognize, no doubt, "that the Irish Church was a stain upon the conscience of England and a disgrace to the civilization of the Empire." Every historian and every politician when not in Office had condemned the Irish Church. Hallam, Macaulay, Lord Lytton, and the present First Lord of the Treasury himself had denounced it. Sidney Smith, a dignitary of the Church, had compared it to the institution of butchers' shops throughout our Indian Empire; because, although the natives did not want meat, a stray European might pass through the villages and require to be supplied, and had written of it—

> "There is no abuse like it in all Europe, in all Asia, in all the discovered parts of Africa, and in all we had heard of Timbuctoo."

It was, indeed, difficult to conceive upon what grounds the Irish Church should be retained; for it had never fulfilled the first duty of an Establishment—that it should be in accord with the feelings of the Irish people. Ireland had hitherto been governed for the Establishment, not the Establishment maintained for the benefit of Ireland. That was not the case in this country. In England the Establishment was maintained for the benefit of the people, not the people governed for the good of the Establishment. Whenever any measures had been proposed for Ireland, the question always was, not whether they were right, just, and proper, but whether they would be favourable to the Protestant Establishment; and every amelioration was opposed on the ground of the Church in danger. Catholic Emancipation was resisted on that ground, so was the Oaths Bill of last Session; and when he had himself proposed to throw open the office of Lord Lieutenant to Roman Catholics it was opposed, because the Lord Lieutenant had thirty-six chaplains, and if he were a Roman Catholic, what would become of the thirty-six chaplains? The true position of an Established Church was to stand up for the rights and liberties of the people. That the Church Establishment in Ireland had never done. On the contrary, it had always opposed every effort that had been made to emancipate the people, or to extend their liberties, and it kept alive that spirit of bigotry which still existed in Ulster. Although Catholic Emancipation was passed forty years ago it had passed only for three-fourths of Ireland. A Roman Catholic had not the smallest chance of obtaining municipal or other honours in the Northern province. Now, what were the arguments in support of the Establishment? The first was that it was based on the Act of Union. But that argument had been completely answered by his hon. and learned friend, the Member for Exeter (Mr. Coleridge). No lawyer would venture to say, as the hon. and learned Member for Colchester (Mr. Karslake) admitted the other night, that Parliament was not competent to alter the Act of Union; otherwise it would be held that the living ought to be bound by the dead. Another argument, he was sorry to say, had been made to rest on the Coronation Oath; as if that Oath rendered it impossible that the Church in Ireland could be disestablished. [Colonel STUART KNOX: Hear, hear!] The hon. and gallant Member for Dungannon cried "Hear, hear!" but that was a dangerous argument. It would be in fact placing the Queen in opposition to that House, if it were to go forth that justice was to be denied to the Irish people, forsooth, because of the Oath taken by Her Majesty at her coronation. That argument was one of the strongest that could be used in favour of Fenianism; for he could not imagine any Fenian using a stronger argument than this:—"The disestablishment of the Irish Church has been declared essential by a majority of 60 in the House of Commons, and yet it cannot be done because of the Queen's Coronation Oath—you have no remedy now except to join us." He thought that the argument of the Coronation Oath had been long ago buried in the vaults at Windsor. They all knew how much it had cost the country. The great statesman who had passed the Act of Union had intended really to unite the two countries, by emancipating the Catholics and placing their clergy on something like a footing of equality with those of the Established Church; but he was prevented from carrying out his object by the troubled conscience of George III., owing to his Coronation Oath; and they all knew what misery the obstinacy of that monarch had occasioned to Ireland. Another argument was that the Established Church was only a sentimental grievance. The hon. Baronet who had spoken last (Sir Michael Hicks-Beach) had adopted that argument, and said that the cry for disestablishment was a mere priestly cry; that the laity did not care about it, and that the only question they cared about was the land question. Well, in that case, he hoped when next the land question was brought forward the hon. Baronet would be found voting with those who represented the opinions of the Irish people on that subject. But what was the fact? The noble Lord near him (Viscount Castlerosse) and the right hon. Member for Limerick (Mr. Monsell) had set on foot a declaration that the Catholic laity of Ireland regarded the Established Church as a great grievance, and that declaration had been signed by Catholic Peers, Baronets, deputy-lieutenants, magistrates, and all who were entitled to speak for the Catholic laity of Ireland. And then let them look to the meeting of Limerick, one of the greatest and most imposing that had ever been held in Ireland, while in Cork only last week there had been another which was worthy of the county in which it was held. But he utterly denied that it was by mere meetings, but by the votes of the Irish Members that the opinions of the Irish people were to be judged. In the recent division he found that the whole of the 29 Members from Ulster had voted for the policy of the Government, the policy of procrastination. Though times changed those hon. Gentlemen never changed, and no "education" that the First Lord of the Treasury could give would ever alter their views. But as to Leinster he found that 23 Members voted for disestablishment, and only 12 against. Of the Members from Connaught 10 voted for disestablishment, only 3 against; and of the Munster representatives, 22 voted for disestablishment, and only 1 against. Of those three provinces 55 voted for disestablishment, and only 16 the other way. He asked was not that the most constitutional declaration that could be made that the Irish people felt the Established Church a real grievance? Another argument was that the Fenians did not want disestablishment. Very true. If the Fenians were consulted, they would say—"Keep up the Establishment; repeal the Emancipation Act; give us no Reform Bill; keep open all the festering sores of the country; for everything you do to remove grievances only binds the two countries together. We wish to separate them, and to establish a republic in Ireland; and if we had our will we would keep the Established Church as it is." No stronger argument could be used in favour of the proposal of the right hon. Gentleman. But then it was said, if you disestablish the Church in Ireland, you must also disestablish the Church in England. No argument was more absurd. There is no analogy between the two Churches. A proof that there was no analogy between the two Churches was to be found in the fact that Lord Derby brought in a Bill thirty years ago, abolishing a number of Irish bishoprics, whereas no proposal had been made with regard to English sees except for an increase of them. As to the allegation that disestablishment was a revolutionary policy, he admitted that it was revolutionary, inasmuch as it was counter to old traditional feelings; but it was, nevertheless, a sound policy, and aimed at making the Union of Great Britain and Ireland a union of heart and soul, instead of a mere parchment bond. The right hon. Gentleman the First Lord of the Treasury should, moreover, be the last man to object to it on this ground; for he declared, in a speech which had often been referred to that a statesman should govern Ireland in the spirit of revolution. No doubt the right hon. Gentleman had since stated that that was heedless rhetoric; but he (Sir Colman O'Loghlen) preferred the "heedless" rhetoric from below the Gangway to the studied platitudes of the Treasury Bench. No one admitted more than he did the genius and ability of the First Lord of the Treasury, and it was therefore with regret he had listened to the speech made by him the night before the Recess. It was a speech which reminded him more of the letters of "Runnymede" than of anything else. The right hon. Gentleman in that speech—a speech which the necessities of party could alone have compelled him to make — said he had lately discovered that a conspiracy existed between the Irish Romanists and the Ritualists of this country to overthrow the Constitution. He might have passed over that observation, if it were merely made in the heat of debate; but the right hon. Gentleman had reiterated the calumny upon the Irish Catholics in a letter which he had deliberately written. That letter was a model letter in style and finish. It was dated "Maundy Thursday, 1868." If he could ascertain it, he should like to know how many of the letters the right hon. Gentleman wrote that day were so dated. He thought there was but one — that written to the High Church correspondent of the right hon. Gentleman. From first to last the letter was in keeping. Beginning with "Maundy Thursday," it ended with "Your faithful Member and Servant." In the letter he spoke of parties in the Church being an advantage. Perhaps the right hon. Gentleman founded his opinion upon the existence of parties in his own Cabinet. However that might be, he went on to say—

> "I have reason to believe that they (the High Church Ritualists) have been for some time in secret combination, and are now in open confederacy with the Irish Romanists, to destroy the Church of this country."

He would not pause to speak of the good taste of speaking of the Roman Catholic Members of that House as "Irish Romanists." Out of the 658 Members of that House there were only thirty-two Roman Catholics. There were none from Scotland, two from England, and thirty from Ireland; and, this being so, what becomes of the allegation that they were sufficiently strong to overturn the Constitution of this country? The right hon. Gentleman's letter was a most finished composition; and it had taught him (Sir Colman O'Loghlen) to introduce a statement for which no authority could be given by the phrase, "he had reason to believe." If he were asked where the right hon. Gentleman got his information as to the alliance between the "Irish Romanists" and the Ritualists, he could only answer "I have reason to believe he must have got it from Mr. Home." He (Sir Colman O'Loghlen) had reason to believe that the right hon. Gentleman, wanting a policy, consulted Mr. Home, and that during the *séance* certain loud raps announced the presence of the spirit of Titus Oates, who warned the right hon. Gentleman that the Constitution was endangered by a conspiracy between Ritualists and Romanists, and advised him to consult or take into his Cabinet the hon. Members for Peterborough and North Warwickshire (Mr. Whalley and Mr. Newdegate). This was the source he "had reason to believe" from which the right hon. Gentleman had got his information, and he told it in confidence to the House. The "Maunday Thursday" letter was not the only letter the right hon. Gentleman had written. They had all heard of the Dartmouth letter. It had puzzled many. Lord Salisbury, whose loss to that House every one regretted, had given it one meaning. The hon. and learned Member for Exeter had given it another. Both, it appeared, however, were wrong. When the right hon. Gentlemen came to explain it, he said—"I did not mean to say the Church was in danger. No legislation could endanger it. What I meant to say was that the State was in danger." He (Sir Colman O'Loghlen) could not at first understand the right hon. Gentleman. The State in danger by disestablishing the Church in Ireland! He (Sir Colman O'Loghlen) looked across the broad Atlantic, and he saw Canada, in which an Established Church did not exist, peaceful, prosperous, and loyal. He looked across the Southern Ocean, and he found that, although in their colonies in that quarter of the globe, the Church was separated from the State, yet that the State was not in danger there. He should have been at a loss to know the right hon. Gentleman's meaning if he had not remembered the saying of a celebrated French sovereign—*L'etat c'est moi.* He then felt that the right hon. Gentleman had used allegorical language; and that, when he said "the State was in danger," he had identified himself with the State. The right hon. Gentleman meant, "I am in danger; my party is in danger; therefore, Constitutionalists, rally round me, to preserve the State—that is, to preserve my Government." The right hon. Gentleman had appeared in many characters—having been a novelist, a poet, a biographer, and a statesman—and he had certainly adorned them all. His recent allusions to the conquest of England by the Normans, by Cromwell, and by William of Orange, served to indicate that he was contemplating the preparation of a history of England. Now, in that case, he ought not to omit a chapter on the Caucasian conquest, which was a more extraordinary one than any other. In other conquests, the majority triumphed over the minority; but in this the minority triumphed over the majority; and it had been so far successful that the present Cabinet had for more than two years maintained their present position. The hon. Baronet who last spoke (Sir Michael Hicks-Beach) justified the raising of the "No Popery" cry on this question—though it had nothing to do with Roman Catholicism—and affirmed that there was a strong feeling against the extension of the Papal power. He would warn the right hon. Gentleman, however, that such a cry would be a signal failure. It was in vain to attempt to rekindle the flame of expiring bigotry, or to hope to retain power by stigmatizing those who advocated the disestablishment of the Irish Church as Irish Romanists, for the people were now too enlightened to be influenced by such tactics. Public opinion expressed through the Press, was in favour of the Motion of the right hon. Gentleman the Member for South Lancashire; and he had no doubt, notwithstanding the Conservative victory had at Bristol and at the pocket-borough of Cockermouth, that, when the appeal was made to the new constituencies, the decision pronounced by the House on the eve of the Easter holidays would be ratified by the country.

Sir WILLIAM HEATHCOTE said, that the hon. Baronet who had just sat down had alluded to the effect which the present Motion might be supposed to have on the party sitting on that (the Ministerial) side of the House. He (Sir William Heathcote) entertained such strong constitutional objections to the continuance of Government by a minority, which amounted in fact to an irresponsible Government from the other side of the House, and his objections were so much exasperated and increased by finding that the opinion which he cherished suffered most by that state of things, that he certainly did not feel excessively sensitive as to the effect of that Motion on the fate of the Ministry. That being his opinion he claimed, so far as a party view of the case was concerned, to be considered impartial if he expressed an adverse opinion as to the manner and the time in which it was brought forward. It appeared to him to be beyond the legitimate use of the weapons of party warfare, to resort to a great constitutional question which by the right hon. Gentleman's own statement, could not be setttled in the present Parliament for the purpose of dislodging the Government. He did not dispute the legal competency of the present Parliament to deal with that subject, and he thought that Parliament was morally and intellectually as competent to do so, if it was to be done, as the future one was likely to be. But the point was this—that hon. Gentlemen opposite were raising a great question which they could not settle, and raising it in general terms; whereas the main part of the defence of their case must rest on the manner in which they meant to carry it into execution. Therefore, looking at the manner and the time in which that Motion was brought forward he, he should be disposed to vote against it, even if he had less doubt as to its substance. They were discussing the first Resolution, and therefore he would not enter upon questions of detail; but he might be allowed to refer to the second and third Resolutions as throwing some light upon the first. The third Resolution he regarded as nothing more than a respectful request to the Crown to permit them to discuss a subject which they could not otherwise discuss. But the second Resolution appeared to him to call, in very distinct terms, upon the Queen to anticipate legislation by abstaining from the performance of acts which were not only legitimate but which she was required by law to perform until an Act of Parliament to the contrary was passed. It had been argued that the Coronation Oath affected Her Majesty's legislative capacity. He was not a believer in that doctrine, and thought it would be unfortunate if it were universally accepted. But if there was anything that the Coronation Oath was aimed at by its framers, it was the dispensing power over existing statutes; and, if he understood the second Resolution rightly, it was precisely that power which they would invite Her Majesty to exercise, But, coming to the substance of the first Resolution, the one immediately before them, it in distinct terms affirmed the necessity of disestablishing the Church; and it implied, as they learnt from the speech of the right hon. Gentleman, the confiscation of her property, subject to what were called life interests and to the retention of the churches and the parsonages. But it should be remembered that they were not dealing merely with the lives of individuals, the value of which could be calculated by an actuary, but with the life of a nation, and that though they might pay certain sums to clergymen now in the enjoyment of incomes from the Church till their death, that did not provide for the rights of the reversioners, who were the laity. When Henry VIII. confiscated the property of the monasteries, he gave the inmates pensions, which according to the scale of the times were liberal, and which appeared in the main to have been carefully paid; but did anyone hesitate to apply to that transaction the name of confiscation? But the case of the monasteries was far less strong than that of the Church, because those institutions existed chiefly for the benefit of their own inmates, whereas the Church held her property in trust for the laity, who were to derive the advantages arising from it. But the present proposal was defended on the ground of gratifying the Irish people, and, negatively, as not leading to any revolutionary consequences in the rest of the kingdom. He contended that, by that proposal, they would not remove the dissatisfaction of the Irish Roman Catholics, nor on the principles they were laying down, could it be so removed. They told the Irish Roman Catholic they would give him entire religious equality; but when he looked to other parts of the United Kingdom what would he find? The Roman Catholics outnumbered other religionists in Ireland in a much greater proportion than other religionists outnumbered the members of the Established Church of England and in Scotland; and yet it was not proposed to endow the Church of the Roman Catholic, but to leave him to pay his own priest as heretofore. Did they not think his next step would be to say, "Either establish my religion in Ireland, or else proceed to let us have real religious equality all over the United Kingdom by destroying all State Churches?" They were told the Irish Roman Catholics did not desire endowment. That might be the feeling of the higher clergy and the richer Roman Catholics; but it was difficult to believe that the poor man would not wish to have a great part of the burden of maintaining his priest taken off his shoulders and placed on realized property. But even if he did not ask for that, he would at least ask for the other alternative, and when that question was raised again, the Irish Roman Catholic, they might depend upon it, would be a strong ally of the Liberation Society. It might be said that would not affect the Church in England, which stood in a different position from that which it occupied in Ireland. Although the two Churches were united, he did not contend that they were so identical that they might not deal with the temporal accidents of the one without necessarily involving both. He did not approach the subject in the spirit of a partizan; but he believed they were letting out waters which would before long swamp the Church of England, and if they dealt with the question in a reckless manner and in hot haste, instead of correcting anomalies and rendering the Church more useful and acceptable, their legislation would prove most dangerous. Suppose we were going to dethrone the English Church from her position in Ireland and to substitute the Roman Catholic Church for it, whatever other difficulty and objection there might be, there would not be that of discrediting the principle of an Established Church; and practically there would be no more difficulty than there was in arranging the Union with Scotland. But in this case it was proposed to bring about religious equality by the total abolition of the Establishment. In England there was no single religious communion that could claim to be set up as a rival to the Establishment; but the advocates of abolition had always claimed the right—and he did not see how they could avoid granting it—of counting all Dissenters as opponents of Establishment when the question was its maintenance or abolition. The ranks of the abolitionists would be swollen, and their cry made louder by what was now proposed, and Parliament must therefore look at home as well as at Ireland. When he saw the violent inroad which was made on vested rights; such disregard of the rights of the laity as well as of the clergy of Ireland—and that without a question whether a position that had been held 300 years could not be retained on other terms—he saw little reason to expect the pacification of Ireland; and when, above all he saw the danger which the proposal involved to the institutions which pervaded the whole of England, and which formed an integral part of the Government of this country, the rending of which would produce effects to which they now blindly shut their eyes, he felt constrained to give his vote against the Motion of the right hon. Gentleman.

Mr. COWPER said, that the hon. Baronet (Sir William Heathcote), notwithstanding his well-known candour, had totally misrepresented the second Resolution, which, however, it was inconvenient to discuss at present. The hon. Gentleman, like other speakers, had appealed to their fears; and, like others, had not shaken the solid foundation upon which the Resolution stood—namely, that the Establishment of the Reformed Church in Ireland was an injustice, and a real ground of offence and discontent to a large portion of the Irish people. Though sympathizing with hon. Members, who felt that it was a strong measure to deprive an ancient Church of the privileges and the emoluments which it had enjoyed for 300 years, yet, he did not share their apprehension that it would affect the safety of private property. The privileges of the Established Church in Ireland, and the tithes, which were the public property of the nation, were to be considered in the light of a public trust; and the question was, had that public trust been exercised rightly, and for the benefit of the people, or had circumstances prevented it being so exercised? It was necessary to look at the origin of the Church Establishment in Ireland. When the Reformed Church was established there, Queen Elizabeth was in hostile relation with the Court of Rome, she having denied the supremacy of the Pope, and the latter her legitimacy and her right to reign. The Irish chieftains, who were at war with the Government, clung to the Pope as an ally, and the people regarded the Establishment of the Reformed Church as a political and diplomatic weapon of attack upon the Papal supremacy, and as a means of exercising the Royal authority over the spiritual affairs of Ireland. Whatever might have been the motive of Queen Elizabeth and her advisers, the Irish people regarded the Church as a political institution. They would not pay obedience to the Bishops, or accept the ministration of the clergy or adopt its Articles of faith; and it became the Church of the governing classes only. It was national only insomuch as it acknowledged the headship of the Sovereign; but it was not national in the higher sense of being a blessing to the nation at large. Born amidst political strife, the Establishment was nurtured and matured in discord and violence; and whatever may have been the beneficent disposition of its members, it was denied the character of an olive branch of peace, and was received as a brand of discord and a sceptre of ascendancy. It blew the trumpet, but the people would not assemble; it piped, but they would not dance; it preached, but they would not hear. Set up for political ends, it had proved a failure, and it had been really an additional cause of antagonism. Though designed to unite the people of England and the people of Ireland, it had widened the separation between them, and made it more difficult to pass than the Channel which ran between them. If designed to unite together the people of Ireland itself, it had only added a new source of discord and strife to those previously existing; and it had introduced disunion into all the institutions of Ireland municipal, parochial, professional, and political. The very name of Protestant and Catholic had a meaning in Ireland different from that they had in England and America. In Ireland, the terms did not designate mere differences of creed and in modes of worship, but they rather indicated two hostile camps, two rival bodies, contending one for the support and the other for the destruction of ascendancy. The Church had become a fortress to be attacked and defended. Under these circumstances, was it generous or wise to cling desperately to that Establishment, which had failed to become a blessing to the country? — the noblest course for the Church to adopt was to descend voluntarily to a position of equality with the Roman Catholic and Dissenting bodies, and trust to its divine mission. Its high position was considered by its friends a platform of security, and by its opponents a pillory of disgrace; it would be nobly transformed into a scaffold of voluntary martyrdom. He (Mr. Cowper) felt sure that the loss of the Church in temporalities would be a gain in efficiency and vitality. It was not national *de facto*, and why claim to be so *de jure?* The Church in Ireland was willing to administer its rites to all the people; but the people would not have them. That had been tried for 300 years—in times of prosperity and of famine, under Penal Laws and under civil equality, and there was no prospect of a change in this feeling. But there might be a change in the external position of the Church; and its present duty appeared to be voluntary abdication. Difficulties had been dwelt upon; but what were difficulties for, except to be overcome? Was the House to be overwhelmed by a difficulty which would attend the transition state of the Church from an established to a disestablished one? Surely the House would have sufficient power, ingenuity, and intellect to overcome any difficulty of the sort which had been suggested. If the Church in Ireland was, as he contended, an injustice, no difficulty should prevent the House from removing it. In Scotland the episcopal Church had been disestablished and disendowed, under circumstances of war, violence, and cruelty; but that Church was now in a position acceptable and satisfactory to the members of it. Its laws were obeyed, its organization was effective, and its offices filled by men of capacity and distinction. In Ireland, the Roman Catholic Church, though not established, had laws and regulations which were observed as punctually and obediently as if it were established. He was persuaded that there existed among the Bishops, the clergy, and the laity of the Established Church in Ireland, sufficient wisdom, moderation, and zeal, to adapt their arrangements to the altered state of things which disestablishment would produce, and to secure everything that could be necessary for the true vitality of a religious body. But the great objection to the proposal was that disestablishment in Ireland would ultimately lead to disestablishment in England. This was an unworthy argument. Irish questions were not to be settled on English grounds. The cases of the two Churches were not similar, and were even diametrically opposed. The English Church was a truly national Church, and the Irish Church was not. The Establishment of the English Church was the spontaneous growth of the feeling of the country. The Reformation was a national movement; the Sovereigns led, and the people followed. It was not imported from a foreign land, and there was no rival community to dispute its claim. It included within its ranks every class, from the Sovereign on the Throne to the humblest of her subjects. In Ireland, all those conditions were reversed, and the Establishment was the Church of a small minority. But Parliament must deal with the question as one of justice or injustice; and they should remember that if it was an unfortunate circumstance for a civil institution to be based upon injustice, such a foundation was ten-fold worse for a religious association. A Church founded in injustice must also involve hypocrisy, by not acting out the righteousness it taught. In that, as in other matters, they should adhere to the old Norman motto, *Fais ce que doit advienne que pourra.*

MR. STEPHEN CAVE said: I will detain the Committee but a very short time, partly because much that I might have urged has already been better said by others, and partly because some of my opinions may appear somewhat old-fashioned and out of date in these days. It is somewhat remarkable that, when this question, or rather a portion of this question, was discussed in 1835, the line of argument which ran through the whole debate was one which has been scarcely used on this occasion. The position then maintained by the various defenders of the Irish Church, including the right hon. Member for South Lancashire (Mr. Gladstone), was that the Church of England taught truth, and that the teaching of the Roman Catholic Church was founded on error; and, though I should be sorry to say a word which could give the slightest pain or offence to any Roman Catholic, or imply the smallest disrespect for those who, I am well assured, are as sincere in their opinions as those who do not share them, yet this must necessarily be the creed of every honest Protestant, otherwise he would not be a Protestant at all. If, then, this be so, how can any true Protestant—for I do not speak of those who are indifferent to all forms of religion—assent to the overthrow of what he believes to be the upholder of truth, however conscious he may be that there is much in it requiring reform? Surely on one ground alone—namely, that what may be put in its place will be at least as powerful in upholding the Protestant Faith. The Protestants who vote for the proposed measures will doubtless rely upon the presumption that this will be the result. But, if so, how remarkable that Roman Catholics should be found fighting in the same ranks. No one can doubt that the success of the measure will be hailed as a triumph in every Roman Catholic country in the world. *The Tablet*, I believe, congratulated its readers the other day that every Roman Catholic Member on both sides of the House voted straight on this question. Did they so vote because they thought the Protestant cause would not suffer anything from disestablishment? The truth is, that this fatal Motion has the peculiar advantage, in a strategical point of view, of enlisting the support of three parties without the slightest cohesion or sympathy — indeed, violently opposed to each other—each of whom sees in it an instrument for furthering its own widely dissimilar objects. Without talking of conspiracies, there can be no doubt of unity of action. The Roman Catholic votes with the honest, and, I may say, the avowed intention of rearing up the Established Church of Rome on the ruins of the Established Church of England. ["No!"] The truth of this allegation time alone can prove. The extreme Ritualist would gladly get rid of that legal restraint which curbs his enthusiasm, and is the only protection of the laity against the wildest extravagance. And I may remark on this point that the right hon. Gentleman who has just addressed the House (Mr. Cowper) has stated that the Episcopal Church in Scotland is in as good a position at present as that which it held during the time that it was established. But the right hon. Gentleman appears to have entirely forgotten that the Scotch Episcopal Church has lost that power of enforcing discipline which is so valuable to the Church of England. The Dissenter is willing to hazard everything in his anxiety to destroy all Establishments, forgetting that the Roman Catholic Church cannot be disestablished because it owes allegiance to a foreign State; and that therefore you would still have an Established Church in Ireland, though of that Church the Queen would not be the supreme head. The Protestant Dissenter thinks it worth some risk to gain such a step in advance as to make a third of Ireland such as he is himself, and he at least honestly and avowedly considers it a prelude to disestablishment in England and in Scotland. A well-known Member of that body, bitterly hostile to the Church of England, said triumphantly the other day that these Resolutions gave them at one stroke what he expected would have required ten years' hard fighting. I cannot but be suspicious of a measure which obtains the support of such conflicting interests on grounds so irreconcilable. But there are others who vote with the right hon. Gentleman, who, like himself, can be influenced by none of these motives. They say they aim at the pacification of Ireland. But does any one believe that the disestablishment of the Church would pacify Ireland? Certainly it would not. Ireland, or rather that portion of Ireland which it is hoped to conciliate by this measure, objects to our civil supremacy quite as much as to our hierarchy. Like the Poles under Russia, the Celtic Irish do not want to be well governed by Great Britain, but to govern themselves, and to get rid of us altogether. I presume, however, that by this time none in the House, and few out of it, are unaware that the real object of these Resolutions is less the disestablishment of the Church in Ireland, than the displacement of the Government. It is proverbially easy to quote Scripture for any purpose. I suppose one must not criticize too closely the manœuvres of party warfare; but I cannot help thinking that, some day or other, there will be many on both sides of the House who will regret that this issue was not fought out on some other battle-ground. Is there any justification in the state of Ireland for this unparalleled proceeding of interposing in hot haste, after years of indifference and while a Commission on the very subject is still sitting, such a Motion between the Reform Bills, the completion of which has been on all sides acknowledged to be the business of the Session? Does anyone imagine that Fenianism has anything to do with the Church question? We have, indeed, been told at the commencement of these debates that there is no Fenianism in those colonies in which the Church is not established. Has not the credibility of that statement been rudely shaken by recent events in Canada, in Australia, and in New Zealand? But, even if it be so, is it wise to exalt those atrocious filibusters into heroic protesters against an alien Church, and to give them throughout the world the prestige of a purpose and a victory which must far transcend their wildest anticipations? Surely it would have been safer and more statesmanlike to do one thing at a time;

to copy the policy of Queen Elizabeth in crushing rebellion before inquiring into the causes of grievance, and to wait till the Habeas Corpus Act was again in force, and the last spark of Fenianism extinguished, before bringing forward a measure which might be plausibly represented as a concession wrung from England through apprehensions which that Fenianism had created. I do not myself despair of Protestantism in Ireland, even if the Church were disestablished. [*Opposition Cheers.*] No; provided it has fair play. [*Counter Cheers.*] But can any one suppose, notwithstanding the conciliatory tone of the hon. Member for Tralee (The O'Donoghue), that the Roman Catholics would be more tolerant to a Protestant Missionary Church than to a Protestant Established Church, or that every means would not be taken to root it out of the land? Equal moderation of expression has been heard in this House on more than one occasion, and hon. Members know what has followed. The House has been told that the Roman Catholics would be content with toleration; then with the removal of all disabilities. It is now said that equality would satisfy her; but on some future day she may demand supremacy, and, eventually, perhaps, that she may stand alone in the land. No one acquainted with the past history of that Church can say that this is not within the bounds of possibility. The right hon. Gentleman the Member for South Lancashire may except from his measure the glebes and parsonage-houses; but how long will this exception last? At no distant date the traveller may probably be shown in many an Irish village how vain was such a reservation—

> "There, where a few torn shrubs the place
> disclose,
> The village preacher's modest mansion
> rose."

For my part I cannot but think that in future days, when the history of these transactions is read, and the motives which actuated statesmen are, perhaps, forgotten, men will not cease to wonder that the first blow at the Established Church was dealt by one of her apparently most devoted adherents; that the Church of England, which sprang out of a revolt against ecclesiastical tyranny, and has been regarded throughout the world as a bulwark of civil and religious liberty, should have been sacrificed by an English Parliament to another Establishment still more widely known as hostile to freedom of thought, and intolerant of the right of private judgment; and that this sacrifice was consummated by the hands of the great Liberal party.

Mr. BAXTER said, that this was one of the most remarkable of debates, because neither before nor after Easter had any who took part in it said anything in defence of the Irish Church on its merits. Hon. Members on the Ministerial side of the House had framed all manner of excuses for postponement, and had suggested an equally large number of reasons, mainly based on considerations of convenience and difficulty, why the matter should be postponed altogether. He had waited patiently night after night in the hope that some hon. Gentleman would assume the courageous position that this Church of Ireland was a wise, just, and beneficent institution. He hoped the time would come when hon. Members would think it beneath their dignity to attack the religious opinions of anyone in that House. He had been sorry to hear the Secretary for the Poor Law Board (Sir Michael Hicks-Beach) make a quotation from the writings of Macaulay hostile to the Roman Catholic religion. He had hoped the time when men would be attacked on the ground of creed had passed away. But, as the hon. Baronet had thought fit to quote Lord Macaulay, he would do the same. It should, however, be a quotation of a different character. Three or four and twenty years ago Lord Macaulay asked this question in the House of Commons—

> "What foreigner reading over British politics does not always express his amazement that such an institution as the Irish Church should ever be permitted to exist among civilized men?

All foreign politicians had singled out the Protestant Establishment in Ireland as one of the greatest blots in the national escutcheon. And could it be contended that a Parliament which had swept away one bad law after another would maintain a system of giving State aid to the religion of one-eighth of the Irish nation, a religion with which three-fourths of the people of that country had no sympathy whatever. He wished to be perfectly candid to the House, and would state at once with reference to what had fallen from the right hon. Gentleman who had just sat down, that he was not a defender of Established Churches at all. The day for them had gone by, and he could not understand how any man of observation—having regard to what went on ecclesiastically in the United States of America, in the colonies, in Scotland, and even in the Church of England itself—could fail to see that writing on the wall which indicated that State Churches had had their day, and that in the future they must give place to voluntary Churches. This, however, was not the question now before Parliament. The Prime Minister and those who followed him had raised the cry that the Church of England was in danger, but in doing so they had raised a completely false issue. All who had studied this question knew that Paley and all the moralists had laid down that if it was right that the State should support religion, the Church which was supported should be the Church of the majority. The Church of England established in the affections of the English people could be defended as an Establishment, and he could not help thinking that the great statesman who attempted to tie up the Church of Ireland in the same bundle as the Church of England, was the greatest enemy of the Church of England. As a moderate, not a rabid Dissenter, he had no desire to pull down any institution before the sympathies of the people were enlisted in that course. But as the admission of the Roman Catholics to Parliament had given the Protestant Church in Ireland thirty years longer to live, so he felt that the disestablishment of the Church of Ireland might strengthen for a long time to come the position of the Church of England. There was probably no greater master of the English language than Mr. Goldwin Smith, and he, in one passage, had described the position of the Church in Ireland in words which could not be surpassed. He said the great and insuperable difficulty which the Church in Ireland had to contend against was this, that Christianity could not be propagated by un-Christian institutions, and the Church of a dominant minority being unjust, could not be Christian. Members on the Opposition side of the House vied with Gentlemen opposite in appreciating the Protestant clergy in Ireland as an active, intelligent, devoted body of men; but the State aid which our forefathers believed would so greatly assist them had proved but a millstone round their necks, preventing free intercourse between them and the people. Statesmen on both sides of the House had come to the conclusion that it was necessary to establish religious equality. His right hon. Friend had come to the conclusion that this should be done by disendowment. And what was the alternative to this course? He was surprised to hear the right hon Gentleman say that the proposition of the right hon. Member for South Lancashire was tantamount to the endowment of the Roman Catholic Church. Why, had not the noble Lord the Chief Secretary for Ireland in the most distinct manner indicated his wish to endow the Roman Catholic clergy by levelling upwards? What did that mean but an impartial endowment of all sects and creeds? The alternative, therefore, was between simple endowment and indiscriminate disendowment; and he did not know any proposition more repugnant to the feeling of religious men, more utterly opposed to the spirit of the time, more calculated to light up the fires of religious discord from John o'Groat's to the Land's End than the proposition to endow all Churches alike. The endowment of all Churches would intensify and exaggerate the difficulties against which they now contended. He had been sorry to hear the argument in some quarters that disestablishment would prove a great blow to the Protestant Faith. There was no portion of the United Kingdom more likely than Scotland to resent any proposition calculated to injure Protestantism, yet what response had Scotland given to the Resolutions of the right hon. Gentleman? During the last three weeks nearly every city and almost every small town throughout the country had held crowded meetings, at which the Resolutions were warmly supported and adopted, and not a single meeting had been held upon the other side. Some petitions were presented against the disendowment of the Irish Church; but if ever an exception proved the rule this did, for these petitions came from the presbyteries of the Established Church of Scotland, and even those in some cases were carrried only by the casting vote of the Moderator. He had paid a great deal of attention to Scotch politics and Scotch affairs, and he never remembered to have witnessed so much unanimity as he did during the last few weeks on this question; and that not alone among Dissenters, but also among Episcopalians. If the poor in Ireland could support their priests, surely the Protestants, with their great wealth and great liberality, could support those who ministered to them. With the permission of the House he would read an extract from a Protestant publication, which showed what the Roman Catholics had done—

> "It has nearly 2,400 chapels, of which more than 2,000 have been built since 1800, at a cost of £3,500,000. In the same period it has established

about 300 convents, monasteries, hospitals, colleges, &c., at a cost of £1,500,000, besides building 600 parsonage houses, 2,990 school-houses, and 70 Christian Brothers' schools, at a further cost of £650,000, and endowing these institutions and others, so that the total expenditure since the century opened cannot be much less than £7,000,000. The maintenance of the 28 Bishops, 2,527 parochial, and 500 regular clergy is estimated at £400,000 a-year; the maintenance of the Church at over £100,000; and of hospitals, orphanages, Colleges, &c., at £250,000. So that this Church of 4,000,000, confessedly poor, taxes itself for its annual support at £750,000, besides large contributions to the Pope, the Propagation Society, and various minor missions, and without reckoning the considerable annual outlay upon new buildings. Chapels, indeed, are rising up on all hands, not from increase of worshippers but to replace older and poorer structures; and where mass was celebrated in some miserable shed, or behind the shelter of a friendly rock, it is now performed under a Gothic roof and the full tones of the organ."

He would say to the rich Protestants of Ireland, "Go you and do likewise." Hon. Members opposite asked what was to be done with the temporalities of the Irish Church in the event of its disestablishment? This difficulty had never appeared very great, to his mind; for he believed the money belonged to the Irish people, and he did not care what was done with it, provided always that we were never placed in the same scrape by giving it to any denomination. The money at present was doing harm instead of good — [Mr. GLADSTONE: Hear, hear!]—and he would give the money for any really useful purpose. There were schools to erect, harbours to improve, and roads to make, any one of which would be a legitimate channel into which to turn this money. He hoped and believed that this religious grievance, called a sentimental grievance—this Church which separated the landlord and tenant—would cease to exist, and that, as soon as the people were convinced that Parliament meant to do justice with a bold, fearless hand, they would turn away from the memories of the past, and become as loyal subjects as any of the inhabitants of England or Scotland.

MR. INNES said, that these Resolutions proposed to govern Ireland by exceptional legislation, which would be a most vicious principle to adopt. The object of this attempt to destroy the Irish Church was not to benefit that country, but to meet the exigencies of the disunited party.

LORD EDWARD CAVENDISH denied the truth of the accusation which had been brought against the Liberal party by hon. Members opposite, that by attacking the Established Church in Ireland they were endeavouring to bring about a dissolution of the connection between Church and State in this country. Hon. Members occupying seats on the Opposition Benches were equally sincere and warm admirers of the Established Church in England as those who sat on the other side of the House. Until recently many hon. Members who sat near him believed that some compromise upon this subject might be arrived at; but since the remarkable address of the right hon. Gentleman the Member for South Lancashire, declaring that the Irish Church must cease to exist as an Establishment, their eyes had been opened, and they felt that the time for compromise had passed, and that they must make up their minds to vote either for or against the Resolutions of the right hon. Member for South Lancashire. He was not, however, one of those who thought that the Liberal party possessed a monopoly of good feeling towards Ireland; for he believed that the sympathies of the Conservative party in favour of that nation were deep and sincere. He could not help expressing his regret that, under these circumstances, this question of the disestablishment of the Irish Church had been made the subject of a party contest. The right hon. Gentleman the Member for South Lancashire was blamed for making this a party question; but he thought that the blame was undeserved. During last autumn and winter the Irish question occupied a prominent position, and the Government must have known that it would be brought forward as soon as Parliament assembled; and when, on the Motion of the hon. Member for Cork (Mr. Maguire), the whole subject of Ireland was introduced, there existed on the Opposition side a just anxiety to know what would be the policy of Her Majesty's Government. So sincerely desirous were they for the welfare of Ireland that they hoped it would be such as they could cordially support. But it turned out that the Government were going to await the result of a Commission, while the feeling of the Liberal Members was that it was useless to try to touch the case of Ireland without dealing with the Established Church. Therefore he held that blame could not be imputed to the right hon. Gentleman if this had become a party question. Well, how had he been met in the course of this debate? Results had been foretold on the other side which he, for one, should deeply deplore to see follow from the disestablishment of the Irish Church. They had been told that if these Resolutions passed the inevitable result would be to secure Papal supremacy in Ireland; they were told it would be impossible to sustain the Protestant Church in Ireland if it ceased to be an Established Church; and they were told that the destruction of the Irish Establishment would be a death-blow to the Established Church in this country. As those arguments were put forward by men of whose sincerity there could be no doubt, they were entitled to respect; but he did not think they were by any means well-founded. He had always held the opinion, though it might be considered an illiberal one, that the existence of the Roman Catholic religion in Ireland had been a great misfortune to that country, and that the dependence of the priests upon the Papal hierarchy had been prejudicial to some of her best interests. The power of what the hon. Member for North Warwickshire (Mr. Newdegate) called a Papal hierarchy was, he believed, in many respects an injury to Ireland; but one could not shut one's eyes to the fact that the Established Church had existed for 300 years as a missionary Church, and had entirely failed. He believed that it was impossible to combat what Protestants believed to be the errors of the Irish Roman Catholics by a Church supported at the expense of those whom we wished to convert. And when we looked at this question of Papal ascendancy, it was impossible not to remember the alternative to the policy of the right hon. Gentleman the Member for South Lancashire, proposed by the noble Lord the Chief Secretary for Ireland on behalf of Her Majesty's Government. That noble Lord spoke of a policy of "levelling up." What could that mean but endowing the Roman Catholics? Again, the Government proposed to endow a Catholic University in Ireland. He asked, could any measure be better calculated to secure Papal ascendancy in that country than to intrust to the Roman Catholic clergy the education of the middle and upper classes of the Roman Catholic laity? As to the alleged impossibility of maintaining the Protestant Church in Ireland without a State endowment, though it might be difficult to do so in some places, he could not think that, taking the country generally, the Protestant Church would be weaker than other Churches, which for a long time had depended on voluntary contributions. He would recommend hon. Members to read what had been written on the subject by Lord Dufferin. He had great doubts as to what would be the precise results of disestablishment. Time alone would prove that; but, for his part, he believed that when the day of battle did come against the Established Church of this country—as assuredly it would come—it would be all the stronger for being disencumbered of the indefensible position of the Irish Church. The arguments of the right hon. Gentleman the Member for South Lancashire had remained unanswered up to that time, and he ventured to think they would continue to remain unanswered. In fact, there could be no answer to arguments against maintaining a State Church for 12 per cent of the population of a country, and that 12 per cent not the poorest, but the richest portion of the entire. He regretted to hear it stated that the removal of Church endowment in Ireland would make the people bitter and determined enemies of the English Crown; for he believed that their loyalty rested upon something more than mere pecuniary considerations; and anyone must be short-sighted who did not see that this question must soon be settled. The right hon. Gentleman had entered upon the subject in a true spirit of conciliation, but his power was limited, and the result of the passing of this measure must depend upon hon. Gentlemen opposite and the Protestants, landowners, and gentry, who must decide whether they would reduce Ireland to anarchy and revolution, or, when further resistance was hopeless, would join in conciliating the Roman Catholics and Protestants, and making this a real boon to Ireland.

Lord CLAUD HAMILTON, while complimenting the noble Lord who had just sat down on the liberality of his speech and the fair manner in which he had treated the arguments of his opponents, was surprised that the noble Lord should have arrived at the determination of supporting a measure the results of which he admitted to be so very doubtful. He did not see why solemn compacts made with the Irish Protestants and their ancestors should now be broken. He could not see why the Established Church in Ireland was not only to be swept away, but insulted and reviled as if it had been a source of injustice. If these arrangements had been made by the Irish Parliament, and were supposed to be antagonistic to Imperial interests, there might have been some excuse for putting an end to them; but they were the solemn engagements of the Imperial British Parliament, and forced upon Ireland for the general good of the Empire. Who were the people whom it was now proposed to deprive of rights which they enjoyed by a prescription of three centuries? They had not been disloyal, nor had they weakened the Empire. They had shared in all the great struggles of England—in her adversities and in her glories; how, then, could they deserve this insulting repudiation of their rights? The Irish Protestants had on all occasions shown themselves loyal and anxious to maintain the Union, and they were naturally indignant at the extraordinary act of injustice which it was now proposed to perpetrate. Were they to be treated as outcasts who were not entitled to the legitimate results of their constitutional bond with this country? The Protestants of Ireland were told that they had forfeited the rights secured to them by the most solemn obligations; but, in the present debate, not a single argument had been adduced for the course it was proposed to take. He did not mean to say that Parliament might not, under certain circumstances, be justified in destroying the Irish Church; but he did maintain that it never could be justified in doing so at the exclusive cost of one portion of Her Majesty's subjects, and in defiance of the protest of those with whom the compact had been made. The power of Parliament to perpetrate such an act of injustice he, for one, did not deny, although some hon. Member had rashly declared that Parliament did not possess that power. He admitted that the Legislature had the power to commit any act of infamy, robbery, fraud, and oppression; but all its power could not efface the stigma attaching to a dishonourable action. The only historical parallel which bore any resemblance to the sudden announcement of the intended destruction of the Irish Church was the act of outrage and villany committed by Louis XIV. when he revoked the Edict of Nantes. By that infamous proceeding, not only were the Protestants of France deprived of their rights, but they were immediately afterwards subjected to a fierce persecution and driven out of the land. A similar result might be expected if Parliament sanctioned the present proposal, which, like the revocation of the Edict of Nantes, emanated from the Court of Rome. Its hand might be traced in the present movement, which, if successful, would tarnish the national character and good faith of England, as the act of Louis XIV. had injured France. The argument alleged in justification of the policy of confiscation was that a system of oppression and injustice had prevailed for three centuries in Ireland; but if England felt that she were culpable, why did she not herself perform penance for her past misconduct, instead of transferring all the penance to the Irish Protestants and making them the scapegoats, to be driven into the wilderness of disendowment on account of English transgression? When negro slavery was abolished in our West Indian possessions the Government of the day acted honestly and taxed the country in order to indemnify the slaveowners; whereas here it was proposed that a peaceful population, who did not sympathize with Fenianism, and who would not be driven into disaffection, should be vicariously punished, and be the only sufferers. It had been asserted that the disestablishment of the Irish Church would be an act of justice which no one would dispute. It was very easy to make such an assertion, but it was not quite so easy to prove it. It was an idle statement, and he should give one or two authorities to prove it. Dr. Slevin, formerly at the head of the Roman Catholic College of Maynooth, said the present possessors of Church property in Ireland, of whatever description, had a just title. They had had *bonâ fide* possession of it for all the time required for prescription, even according to the Roman Catholic Church, which required 100 years. He might even appeal to the hon. Member for Westminster (Mr. Stuart Mill): he did not know to what Church he belonged, but he was an authority recognized on the subject, having shown great genius and taken great pains to investigate public questions. That hon. Member described the "alien Church" as no longer supported by revenues drawn chiefly from the Roman Catholic population, but by a rent-charge paid mostly by the Protestant landlords. The confiscations had not been reversed, but the hand of time had passed over them; they had reached the stage at which, in the opinion of reasonable men, the reversal of an injustice is but an injustice the more. It was also said that the Church was a badge of conquest; but that argument had been altogether imported from England, and had not been at all used in Ireland. Could anyone say that the Church in Ireland had been any more a badge of conquest than the coin of the country and the language imported into the country, and the existence and authority of the Sovereign herself? Again, it was said the Church should be done away with on the ground of expediency; but the Roman Catholic Bishop of Meath had lately said the great and sole question for Ireland was the land question, and that other agitations, such as that against the Established Church, were calculated to introduce a bitterness of feeling between the landlords and tenants of Ireland, and to precipitate that social catastrophe the friends of Ireland were all anxious to avert. *The Tablet* newspaper also said if the Established Church were abolished, and if the Roman Catholics were put on an equality with the rest of the religious denominations, only one cause of discontent would be removed. The late Mr. Justice Shee said that the Church in Ireland had the prescription of three centuries; and the right hon. Anthony Blake, another Roman Catholic gentleman, said the Church in Ireland could not be destroyed without danger to property and order, and to all the blessings they derived from living under a lawful Government and a free Constitution. The right hon. Member for Morpeth (Sir George Grey), speaking on behalf of the late Government, said the Established Church existed upon the prescription of centuries, and could not be abolished without all the horrors of a revolution. Earl Russell, in one of his pamphlets, said that to abolish the Church in Ireland would be politically injurious to the country, and would be the commencement of a religious war. No doubt one pamphlet from that noble Lord's pen succeeded another so rapidly that possibly a new edition might be in the press correcting what had appeared only a fortnight ago; but when clothed with the responsibilities of Office he held very different language from that he had lately uttered. The right hon. Gentleman the Member for South Lancashire was once a most ardent supporter of a state of things very different from that which he now proposed to establish. When did his conversion take place, and when did the scales drop from his eyes? Was it only when he went to the Opposition side of the House? This was an important consideration; for one of the right hon. Gentleman's Colleagues (the Duke of Argyll) lately stated that public men were obliged under the responsibilities of Office to modify some of their opinions, and to intensify other opinions in Opposition. Now, as an Irish Protestant, he denounced this system of treating Irish questions, and especially an important Motion like the present one, which really tended to the disseverance of the Union. He had quoted the opinions of men allied to the party now in Opposition, to show that there was really no argument to be found in favour of the assertions that the existence of the Church was an injustice and that it ought to be abolished on the ground of expediency. The only attempted justification for this step was the blowing down of the wall of the House of Detention at Clerkenwell by the Fenians. But the Fenians utterly repudiated having anything to say to the disestablishment of the Irish Church. What the Fenians wanted was the destruction of the power of England in Ireland, and the establishment of a free republic. Another allegation was that the Catholic party, not having been represented in Parliament at the time the Act of Union passed, were not bound to accept the settlement of the Established Church. But he submitted that at the time of the passing of the Union it was intended that the Establishment of the Church in Ireland should be permanent and inviolate. He considered it to be a very dangerous argument to deny the obligation of a solemn compact, because a certain set of persons were not consenting. Might not this be applied to the repudiation of the National Debt? How can one generation bind another, if this method of reasoning is adopted? Another allegation was that the proposed change would establish equality among all parties. Would that be the case? In England the majority had a Church provided for them by the State. In Ireland the Roman Catholics formed a considerable majority; but the proposition of the right hon. Member for South Lancashire would not provide a Church for them; and it would, moreover, place the Protestants of Ireland, who were members of the United Church of England and Ireland, on a footing of inequality with their Protestant brethren in England. It was commonly stated that this much-maligned Church of Ireland had totally failed to discharge its functions. That he denied. He was perfectly prepared to acknowledge that, for two centuries, the English Government made use of the Irish Church as a political engine; but that was no fault of the Church, which resisted as much as it could the steps taken to employ it in such a capacity. For political reasons, it was not allowed to publish Prayer Books in the Irish language; so that fair play was not allowed the Church in its endeavours to reach the hearts of the Irish people. That state of things had now altogether ceased; but it was most unfair to charge the Irish Church with making no progress, when, for political reasons, that Church was treated in the way he had described. There was infinitely more attachment in the Irish mind to the rites and ceremonies and services of the Church than existed in England. The hon. Member for Birmingham (Mr. Bright) had based one of his arguments for the disestablishment and disendowment upon the fact that the Protestants in Ireland did not number more than the population of Manchester or Liverpool; but the hon. Member ignored the fact that those people were scattered over the whole country, and therefore required a number of people to provide for their spiritual wants. It was the greatest mistake, therefore, to say that there was a superfluity of revenue and of clergy in Ireland. Those who lived in Ireland and were constantly applied to for subscriptions for church building and additional curates, were fully aware of the real state of the case. There were anomalies in connection with the Irish Church which everybody acknowledged, and which everybody was anxious should be removed; but the existence of these anomalies afforded no argument whatever for the destruction of the Establishment. In times past, the Government of this country had treated the Irish Church unfairly—had treated it for Imperial and not for Irish purposes—and the country was now reaping the fruits of that policy. The Penal Laws, which were not a Protestant institution, but existed before the Reformation, had been used for political purposes in the same unfortunate direction. The most puzzling part of the question now under discussion was to know what good end it could possibly serve to break the sacred contract between the Irish branch of the Established Church and the State? Could it be expected that henceforward persons would have the slightest confidence in their institutions and enactments, when they saw justice, honour, and good faith sacrificed in this effort to obtain a party triumph and political power? There were no solid grounds for such a step; and, if the step should unhappily be taken, it would inflict on the Irish Protestants a grievous wrong, and cause a lasting injury to the Empire at large.

MR. REARDEN said, he would recommend to the attention of the House the following quotation from a satirical work published by Thomas Moore more than forty-five years ago, which aptly applied to the intense hostility, existing then as well as now, against the monstrous injustice of maintaining the Established Church incubus upon the Catholic people of Ireland:—

> "As long as millions shall kneel down,
> To ask of thousands for their own;
> While thousands proudly turn away,
> And to the millions answer 'Nay!'
> So long the merry reign shall be
> Of Captain Rock and his family."

But the death-knell of that Establishment had been sounded by the vote before Easter on the Resolutions of the right hon. Gentleman the Member for South Lancashire; and it must be admitted that it had not only utterly failed as a missionary Church, but, as shown by the following list of the various titles by which the religious denominations were returned to the Irish Registrar General at the Census of 1861, proves that it had ludicrously failed to hold its own:—"Unitarians, Covenanters, Reformed Presbyterians, Moravians, Seceders, Christian Brethren, United Presbyterians, Evangelical Unionists, Separatists, Lutherans, Presbyterians, Non-subscribing Presbyterians, Dissenters, Free Church of Scotland, Protestant Dissenters, Christians, Plymouth Brethren, Catholic Apostolic Church, Primitive Methodists, High Church, Latter Day Saints or Mormons, Christian Israelites, Orthodox Presbyterians, Greek Church Brethren, Arians, Disciples of Christ, Calvinists, Congregationalists, Evangelical Church, Freethinkers, Secularists, Deists, Evangelical Protestants, New Lights, New Jerusalem Church, Nonconformists, Darbyites, Swiss Protestants, Seceding Presbyterians, Members of the General Assembly, Kellyites, Believers in Jesus, Protestants of no particular Sect or Denomination, Welsh Methodists, Swedenborgians, Sinners saved by Grace, Old Lights, Universalites, Independent Presbyterians, Reformed Church, Dissenting Presbyterians, Bible Christians, Trinitarians, German Protestants, New Connection Methodists, Calvinistic Methodists, Members of Christ's Church, Anabaptists, Churchmen, French Protestants, Swiss Church, Eastern Reformed Presbyterians, Free Churchmen, New Church Socialists, Church of Denmark, Arminian Methodists, Lady Huntingdon's Connection, Walkerites, Morrissonians, Episcopal Church of America, Palatines, Remonstrants, Brethren in Christ, Church of Christ, The Word of God Alone, Seekers, Materialists, Rationalists, Cromwellian Protestants, Puseyites, French Church, Italian Protestants, Swedish Protestants, Swiss Reformed Church, Welsh Church, Prussian Evangelical Church, French Evangelical Church, Evangelical Waldensian Church, Primitive Seceders, Arminian Presbyterians, Baptist Presbyterians, Free Church of Switzerland, Cameronians, Association Methodists, The Bible Alone, Self Opinion or the Church of God, Saint of No Sect, Non-Sectarian Orthodox, Theist, Philanthropist, Positivists, Political, Nonconformists, No particular Persuasion, Undecided, Doubtful, Hindoo, Unbeliever, Atheist, No Religion, Christian Teetotalizing, Christian Temperance, Peculiar People, Recreative, Religionists, Christian Israelites." He should oppose the disestablishment of the Church of England, as it is the Church of the majority of the British people; but, in Ireland, the Church of 500,000 Protestants, for the cure of whose souls ecclesiastical property to the amount of £13,000,000 sterling was appropriated, was the greatest injustice ever perpetrated. He had a better opinion of the Protestants of Ireland than to believe that their souls were in such a hopeless condition as to require the application of enormous revenues arising from such endowments to cure them. As for his countrywomen, he was proud to think that they did not stand in need of it—and certainly the babies did not require it—and the men were not so incorrigible as the mistaken friends of the Church, who insisted upon maintaining the monopoly of its endowments, would lead us to infer. As to the men, he ventured to say they would not feel complimented by the zeal of their friends endeavouring to make the House believe that their souls were in so totally incurable a state as to need the expenditure of a revenue of £900,000 per annum to restore them. The monopoly of such a revenue by so small a minority of the people, to the total exclusion from its advantages by the millions of Her Majesty's Roman Catholic subjects in Ireland, was too intolerable to be any longer endured. He would put a case to the House — Suppose England and Ireland were at war with each other, and we were now engaged in arranging the preliminaries of peace, and that one of the conditions proposed by Great Britain was, that the Catholic people of Ireland should recognize the Protestant Church Establishment, and submit to the appropriation of all the ecclesiastical property and endowments for the exclusive use and benefit of the Protestant portion of the population, could the House suppose that those who represented the Catholic people of Ireland would, for an instant, entertain a proposition so unreasonable and insulting? He assured the House that he expressed the sentiments of the Roman Catholic population of Ireland in stating that the disendowment and disestablishment of the Irish Church, and separate and independent legislation for Ireland, and the expenditure of her revenue in the development of her resources, were *sina quâ non* conditions to the consolidation of the connection between the two kingdoms. The annual drain of at least £12,000,000 in revenues and in absentee rents; and of not less than £3,000,000 in profits, arising from the monopoly held by British traders and manufacturers of the manufacturing and trading markets of Ireland, which for the most part are employed in the enrichment of Great Britain, to the manifest injury of every interest in Ireland and the utter ruin of her artizan and other labour markets. These were amongst the main sources of the contrast between the wealth of England and the poverty of Ireland. The disendowment and disestablishment of the Irish Church, and the concession of separate legislation to Ireland would unite, strengthen, and consolidate the connection between the two countries, and promote, develop, and secure the power and resources of the British Empire: with such essential concession—less than which the people of Ireland would never be content with—the entire power, strength, and resources of Ireland would, whenever necessary, be at the service of Great Britain; and Ireland would thenceforth look upon the honour and glory of England as her own, as she would have no grievance left unredressed. From 1782 to 1800, when the Parliament of Ireland regulated her affairs, and had the control and expenditure of her own revenue, the progress of her trading, manufacturing, and agricultural prosperity equalled, if it had not exceeded that of England, in the same space of time. Let the Irish Church be disendowed and disestablished and the other primary measures be granted, and the Roman Catholics of Ireland would vie with each other in doing acts of kindness to their Protestant friends. They would make them forget the annoyance they must naturally feel on being deprived of a monopoly which had been in their possession for 300 years. He believed that such a course of conduct which might be confidently anticipated on the part of the Roman Catholic population of Ireland towards their Protestant friends and neighbours would unite them cordially in promoting and maintaining peace, law, loyalty, and order, would secure the welfare and enrichment of Ireland, and the honour and prosperity of the United Kingdom.

Sir JOHN HAY: Mr. Dodson—I should be sorry if this debate were to close without some one rising to express the views which I confidently believe are held by my countrymen North of the Tweed. I am far from assuming that I can speak with any sort of authority; but connected as I am with Scotland, and knowing as I do the great interest felt by many on this subject, I shall ask the indulgence of the Committee for a few minutes whilst I state, so far as I know it, the feeling entertained on this subject in Scotland. In Scotland there exists a strong religious sentiment, and that religious sentiment is expressed in general by various forms of Presbyterian worship. Three principal bodies exist, with no difference whatever in creed, and only slightly differing in forms of Church government. First, the Established Kirk; second, the Free Kirk; third, the United Presbyterian Kirk. These three Churches, and the less numerous Presbyterian Churches which exist in Scotland, as well as a large proportion of the members of the Scotch Episcopal Church, have one common bond of union, stronger even than their nationality—and that is a strong Protestant feeling; a feeling that nothing would tempt them, in any way, to assist or countenance the Roman Catholic Church. They think her belief erroneous; they are distrustful of her promises; they hate her tenets; and are jealous of her power. Those of whom I now speak comprise more than five-sixths of the Scottish people, and their opinion is surely entitled to some consideration at the hands of this Committee. The first three Churches I have mentioned—namely, the Established Kirk, the Free Kirk, and the United Presbyterian Kirk, constitute the worshipping assemblies of a very large majority of the Scottish people. They all have the same form of Church government; they all have the same form of worship; but only the United Presbyterian Church differs from the others in this—that it disapproves of the Union between Church and State. The principal, and indeed the only subject of difference between the Established and the Free Kirks is the question of lay patronage; and would that I could live to see the time when that small point could reasonably be conceded to those who otherwise are so closely united to each other — united in the strong bond of Christian love, and of a bold and unshrinking antagonism to superstition and to infidelity. Those who are in the communion of the Free Kirk prefer to elect their own pastors; whilst the Established Kirk prefers to have their pastor chosen by the patron who may be legally entitled to perform that duty. But both these Churches believe that it is advantageous for the realm that the State should be Christian and Protestant. The Established Kirk, after a noble contest for freedom in what are still known in Scotland as the "old persecuting days," became legally the State Church, and faithfully performed its mission of civilizing and educating the people. The Free Church in our own time, on the question of patronage, also made a noble and spirited sacrifice; and, rather than yield its conscientious convictions, preferred to separate from the Established Church. Since then it, too, has performed a noble mission, and the rancour inseparable from the first strife having long passed away, these two Churches work hand in hand for the spiritual and temporal good of the nation. But the Committee must remember that both the Established Church and the Free Church are not only favourable to the principle of connection with the State, but they are both endowed Churches. The Established Church has an endowment settled on it by the Act of William and Mary; the Free Church has an endowment settled on it by the generous sacrifice of its congregations. But this endowment of the Free Church of Scotland is entirely opposed to the voluntary principle. The voluntary principle, as I understand it, is that the existing congregation or its representatives shall, from time to time, appropriate certain money for the support of the clergy, and for the decent performance of religious rites, but that no permanent endowment shall be guaranteed by law. The sustentation fund of the Free Kirk of Scotland, its churches, its manses, are an endowment subscribed for, appropriated, set aside by persons in our own time, with a heroic denial and self-sacrifice, but the capital of which is legally appropriated to the service of the Free Church and on the interest of this endowment the services and the ministers of the Church are assisted in decent and honourable maintenance. Well, when the right hon. Gentleman the Member for South Lancashire turns his attention to Scotland, and proposes to disestablish and disendow the Established Kirk and to disendow the Free Kirk, what will be the feeling of Scotland? The right hon. Gentleman has become the apostle of the voluntary system, a recent convert, no doubt, and perhaps a dangerous one, were he not "everything by turns and nothing long." If the right hon. Gentleman ventures to lift his hand against the endowments of the Established and Free Kirks of Scotland, he may perhaps find out to his cost the meaning of our old Scottish motto—*Nemo me impunè lacessit.* But if it be so dangerous to meddle in Scotch affairs, let me ask my countrymen, Can they supinely look on whilst the right hon. Gentleman commences his Church robbery in Ireland? I maintain, without fear of contradiction, that it is as unjust and as illegal to apply the endowments of the United Church of England and Ireland in Ireland to secular uses, as it would be to seize the revenues or endowments of the Established and Free Kirks of Scotland, and I sincerely advise my countrymen to look out for squalls. But it has been said by the hon. Member for Surrey that the United Church of England and Ireland is not the Church of the Irish nation. If he means *The Irish Nation* newspaper I suppose he may be right; but if he means the Irish people as represented in this House, he is greatly in error. I only know of one legitimate way of judging of the wishes of a people—that mode is by attending to the votes and speeches of their representatives. Well, I have heard as much Irish eloquence on one side as on the other; and as for the votes, 46 voted with us, and 55 with the right hon. Gentleman. Now, is a majority of 9 sufficient—suddenly, and without notice—to reverse the policy of ages, and to destroy, subvert, root up the Protestant Church of the majority of the United Kingdom of Great Britain and Ireland? What the right hon. Gentleman is doing is getting up a faction fight—Ulster against Munster, and Leinster against Connaught. Well, if that is to be our policy, let us withdraw the police and the soldiers and leave them to fight it out. I have every esteem for the people of Cork; but I believe that in Ireland, as elsewhere, the North will probably be victorious. It has been said, in the course of this debate, that even in Ulster the Presbyterian Church had found some of its members to join in the cry for disendowment. Well, I wondered that the Ulster Presbyterians, who have something of the Scotchman in them, should any of them have been found willingly to sacrifice the *Regium Donum;* but I find the solution to this anomaly in a letter written by a noble Friend of mine, who has considerable estates in the North of Ireland. The letter is a very remarkable one. Its writer, Lord Dufferin, is one of the best of landlords, and we all know his public worth. He, at least, I am sure always acts under the feeling of *noblesse oblige.* Well, my noble Friend has written a letter in which he says, in effect, to the clergy on his estates—"Give up your endowments and vote with the Whigs. I will make up your losses; I will endow you again; under my ægis you shall be safe, and like Job your last state shall be better than your first." A tolerable bid for a Whig vote. But what of the poorer landlords whom it will ruin to be as generous, and what of the poor parsons—or rather congregations—on estates which have no margin left for a second endowment. Now, I remember before the days of Italian unity and railways, when Italy had a monopoly of brigands and assassins, a story of an old English traveller who, with a young artist, was making a tour and gathering pictures for an English collection. They were stopped by brigands, and the more youthful traveller wanted to fight; but the elder said, "Oh, no, rather give up all we have than have our throats cut; there is plenty more money to be got from Torlonia when we get safe to Rome." Now, it seems to me that the right hon. Gentleman, the Captain of the Band, has stopped the Church coach, and that some of the Ulster Presbyterians are willing to be robbed only on the ground that there is plenty more endowments to be got from Lord Dufferin; or, perhaps, when the Irish Establishment, under its Whig guides, succeeds in getting safely to Rome. I do therefore earnestly desire to call upon my Scottish countrymen not to join in this robbery of endowments. Depend upon it, if they do, they will be the next to suffer—or, if not, this will happen, and soon. A very strong party exists in this country who are in favour of endowments, who will not willingly see things sacred applied to secular uses. At present my Roman Catholic friends are on the side of the Liberation Society: they are for pulling down the Protestant Church and its endowments. But when the Church is down and the scramble ensues, they will know how to take advantage of the crisis, and claim in Ireland for the sacred uses of the Church of the majority the funds which our forefathers had piously dedicated to the service of the Church. When that time comes, let my Protestant friends beware. There are many men who will be in great difficulty then in deciding how to act; and the result may be—nay, probably will be—that, from fear of sacrilege, from fear of the injury to the endowments of England and Scotland, Popery may yet be endowed in Ireland. We know that Earl Russell has expressed his conscientious desire to endow Popery with a third of the Irish revenues of the Established Church. From that evil and mischief I fervently pray "Good Lord, deliver us." But in order to prevent it, the Protestant people of these countries must rally round the Conservative party; and whilst encouraging all freedom of conscience, must resist this insidious attack upon the faith we hold, and which cost our fathers so dear.

MR. G. YOUNG said, he thought that the complaint of the hon. and gallant Member (Sir John Hay) that no representative from Scotland had taken a part in the discussion, might have been made to justify in some measure the desire of the Government to protract the debate. In his opinion there was no reason why this question should be regarded by Scotch Members in a different point of view from that in which it was regarded by English Members. Scotland was a Protestant country like England, and the only ecclesiastical difference between them was that the majority of the people of England were Episcopalians, while the vast majority of the people of Scotland were Presbyterians. That was the reason, as they all knew, why the Episcopalian Church was established in England and the Presbyterian Church established in Scotland. In both countries the Established Church was in reality the Church of the people. He demurred to the proposition that the union of Church and State was a question of principle, and maintained that it was altogether a question of expediency. There were in Scotland, as in England, great varieties of opinion on ecclesiastical matters; but in Scotland they related, in a great measure, to matters of comparatively inferior importance; and, notwithstanding those differences, the people of Scotland, as a whole, regarded the Established Church in that country with affection and pride, because of the purity of its doctrines, the simplicity of its worship, and its freedom from excesses and extravagance, and also because it had fulfilled, and was still fulfilling, its mission as a national Church; and were it attacked its defenders would be found far more numerous than its assailants. It was not disputed that the Irish Church was the Church of only a small fraction of the Irish people. In his letter of Maundy Thursday the right hon. Gentleman at the head of the Government referred to what he called "the sacred union of Church and State." He demurred to the word "sacred" so used. That union might exist for a sacred purpose; but it differed in no respect from any other contract having a religious end. It was in no respect different from the compact between a private individual and his domestic chaplain, or between a Dissenting congregation and its clergyman. As in the other cases he had stated by way of illustration, it was a compact on the one side for services to be rendered, and on the other for the acceptance and the remuneration of those services. In its nature it was a civil contract, and the question whether it should be made or continued was not a sacred question, nor even a question of principle, but one of mere expediency. They were not precluded from considering at any time whether it had answered its purpose or not, or from putting an end to it if it had not. The question as to the wisdom of having an Establishment might be answered differently at different periods and in different places. It was expedient in England and in Scotland, because it had answered its purpose; it was not expedient in Ireland, because there it did not answer its purpose. The only danger to which he could perceive that the Establishments of England and Scotland were exposed arose from the course taken with regard to this question by the hon. Gentleman opposite. It was very dangerous to say that they must have Establishments everywhere, because they were matter of principle, or have no Establishments anywhere; that if they had no Establishment in Ireland, they could not continue to have one in England. Why, the argument about a "sacred union" and a matter of principle would be equally valid as applied to Ireland if there were not a single Protestant in that island. He supposed that hon. Gentlemen opposite would hardly go that length. In every question of expediency they must regard the whole circumstances. Surely it was not expedient to have an Established Protestant Church in a country where the Protestant inhabitants were only an infinitesimal part, or an eighth, a ninth, or a tenth of its entire population. Her Majesty's Government not only admitted that religious equality did not exist in Ireland, and that it was expedient there; but they proposed to produce it. But how? By levelling, and levelling upwards. Let them mark the import of the word "levelling." He supposed they were to put all religious denominations in Ireland on an equal footing with reference to what the Foreign Secretary called an "empty title," with reference also to what the hon. Member who re-opened the debate that night (Sir Michael Hicks-Beach) called a "barren precedence," and with reference likewise to endowments—for that was the substantial matter—so far as was necessary to produce a level among the various denominations. Thus, they were to have a "sacred" union upon "principle" with the Episcopalians, with the Presbyterians, with the Roman Catholics, and all other denominations in Ireland! For his own part, he should be at a loss to express the principle, sacred or profane, which would lead to that result. The right hon. Gentleman (Mr. Disraeli), in that remarkable speech which he delivered at the close of the debate before Easter, announced that "The policy of the Government with respect to Ireland is to create, and not to destroy." If any hon. Gentleman was able to attach any definite meaning to those words, as so used, he had, he confessed, greatly the advantage of himself. If the Irish Church, as an Establishment, was an evil in Ireland, among other things, to the Protestant cause, as he contended, what answer was it to the proposal to disestablish it—that was, to abate the evil—to say that the policy of the Government was to create, and not to destroy? Was it the policy of the Government to create evils, and not to destroy them?—to create anomalies, to create confusion, to create mischiefs, and not to destroy them? If it was merely intended that they wished to create that which was good, and not to destroy it, that was a very wise, but not a very profound policy, and one hardly worth announcing. Every Government, he supposed, would profess, not only with respect to Ireland, but to the whole Empire, that its policy was to create that which was good and not destroy it; but that was little to the purpose upon the question whether the Irish Church should be maintained as an Establishment or not. Whatever might be the policy of the Government, he supposed that that of the House would be to destroy the evil of the Irish Church, if it was found to be an evil; and not to attempt to counteract—which he believed to be an impossibility—its influences by "creating" other Establishments, and raising them up to the same level. He had said that the Irish Church had been injurious to the cause of Protestantism. That was only a part of the case against it; but it was a material part. The fact of its existence for 300 years—of which so much was said by hon. Gentlemen opposite—was a strong feature of the case against it. It had existed—as a Protestant Church planted among a Roman Catholic population must exist—as a missionary Church; and yet, according to the hon. Member for North Warwickshire (Mr. Newdegate), the wealth of the Roman Catholic Church was increasing, its members multiplying, and its churches rising everywhere, while the Protestant Established Church had the greatest difficulty in holding its ground. Having more confidence than the hon. Member in the truth and power of the Protestant Church, he believed that if it had a fair field it would prevail. The Committee had been told over and over again that this was a party move; that it was brought forward suddenly, and without due notice; and that it was inopportune, because it interrupted other business. With respect to the suddenness of the move, it was impossible that those on the Opposition side of the House could have announced their policy until that of the Government was stated. During the debate on the Motion of the hon. Member for Cork (Mr. Maguire), it was promised that the policy of the Government should be revealed, as it ultimately was, by the noble Lord the Secretary for Ireland; the right hon. Member for South Lancashire stated his dissatisfaction with it, explaining wherein he thought it positively amiss, and where dangerously defective, and he further signified his intention, if the Government did not see fit to bring forward some proposition with reference to the Irish Church, to bring before the House Resolutions of the nature of those which they were now considering. Well, let it be a party move if they pleased. Might not a party move be a proper move—that was, a Motion which united the whole party in the House? They were certainly entitled to object that that was not the character of the present Motion; but upon that subject an appeal had already been made to what the right hon. Gentleman the Prime Minister had happily called "the unerring instincts of Parliament." Now, what he had to ask was this—were they to go on with this talk for ever; were all these topics to be debated over again? He, for his part, was content it should be so; but they must admit that the appeal had already been made to Parliament, and Parliament had answered with no uncertain sound that this was not a party move to be reprobated, but one to be encouraged. The question of the sufficiency of notice depended upon the opportunity that had been afforded for discussion, and surely that had been ample. There could be little doubt that the subject had been deliberated upon by the Cabinet even before it was brought forward in the House; and after the interval that had been afforded for the consideration of this Resolution, it might be safely assumed that it would be carried by as large a majority as was the Motion to go into Committee. It had been urged that the decision of the House had not yet been given upon any certain or definite issue; but he thought that at his hon. Friend the Member for Oxford (Mr. Neate) had sufficiently explained that the question formerly decided had been, not whether the House should or should not go into Committee, but whether the Irish Church should or should not be disestablished. That they were now engaged in deciding the same question was shown by the fact that no new matter had been imported into the debate, which was solely a repetition of arguments formerly employed. There was one other topic. The right hon. Gentleman at the head of the Government, at an early period of the Session, said that the country ought to have an opportunity of considering this question, and of being educated in its bearings. What he should like to know was this—what better way was there of agitating this question, and of enlightening men's minds upon it, than by discussing it in this House? It was a subject that would occupy men's minds for some time to come, and the people of this country ought to know the opinion of this House upon it, and the ground on which it rested.

MR. WALPOLE: Without following the hon. and learned Gentleman (Mr. G. Young) into those collateral topics with which he concluded his speech, I think I shall best consult the feelings of the House by confining myself as closely as possible to the real issue now before the House, and that issue is the Resolution of the right hon. Gentleman. Much has been said of that Resolution; and though it is true that in terms it is confined to Ireland, and to Ireland only, yet it can hardly be doubted that in principle, if not in intention, in its inevitable tendency, and if not in its immediate yet in its ultimate consequences, the whole question of Church Establishments is at issue. Gloss the matter over as you will, the maintenance of Church Establishments, and the placing these Establishments under the guardianship, control, and superintendence of the State, is really the issue we have to try. I venture to think that the hon. and learned Gentleman who has addressed the Committee with great ability and ingenuity, and the hon. Gentleman the Member for Montrose (Mr. Baxter), who has also spoken with great ability and ingenuity, have in their arguments confounded two matters which are distinct in themselves, and ought therefore to be determined on distinct considerations. Those two matters are, first, the circumstances under which you might or might not deem it advisable to establish a national Church where none was previously in being; and secondly, the grounds upon which you would be justified in disestablishing a national Church where one already existed. If, indeed, we were now discussing for the first time whether we would establish a national Church in Ireland, I admit there are various reasons which would press upon us the consideration whether we ought to establish it in the form in which it at present exists. But the same considerations might be pressed upon us if we were considering the question with regard to the hon. Member's own country of Scotland, or of Wales, or even England itself. In each of these countries questions differing in degree, but not in kind, might require us to give a similar answer. You must look at the views, at the feelings, the wishes of the inhabitants, and at the means provided for the maintenance of such an Establishment. In that case some might think it prudent to recognize simply and solely the voluntary principle; some might think it advisable to provide for the support of different sects of religion; but there is one thing which no one, I think, would propose, and that is when the property of the country was in the hands of persons of one way of thinking, and the great mass of the people were of another way of thinking, no one would deem it just to charge the property for the support of a religion which its owners did not profess. But the question is not now one of establishing a national Church — it is the question of disestablishing a Church, and with this question you have to consider the length of time during which it has existed, the compacts under which it has been continued, and Parliamentary engagements of which it has been the subject. These compacts and these engagements, have, I think, been treated in the course of this debate with greater levity than they deserve, and I was astonished the other evening to hear the hon. Gentleman the Member for East Surrey (Mr. Buxton), plainly and deliberately assert that they were imaginary agreements made by unknown parties. I had thought that if there could be an agreement which was anything but imaginary in its character, and which was entered into by parties perfectly well known to Parliament and the country, it was the agreement and the compact made at the time of the Irish Union. I do not deny that Parliament has the power, as was said by the hon. and learned Gentleman the Member for Exeter (Mr. Coleridge) the other evening, of undoing now what any other Parliament has done; but there may be circumstances connected with such a compact as to render imperative, in proposing its repeal, a consideration of what happened at the time when the compact was framed. We have, therefore, to consider, in the first place, what circumstances were existing at the time the compact was entered into; and, secondly, whether there are sufficient reasons for doing away with it. Now, I ask the Committee to consider the nature of that compact. We are standing here as the representatives of three distinct and separate Legislatures, formed into one by the two Acts of Union. These Acts of Union are the very charters of our existence. It is by them, through them, and under them that we are now deliberating. In these Acts of Union there are many Articles, some of them relating to trade, some to the representation of the people, some to the Peerage, some to the proportions of the National Debt which are to be borne by the nations respectively, but there is only one Article—namely, that with reference to religion—that is made binding by obligations which are declared to be fundamental, essential, and inviolable. That obligation was insisted upon because our ancestors knew too well the evils resulting from the religious conflicts in which the different parts of the kingdom had been engaged. Those conflicts related to Church government and the Reformation, and it was to prevent any recurrence of those disputes that our ancestors put into these Acts of Union clauses of such stringency that they intended to restrain Parliament from making any alteration, unless the reasons in favour of the change were strong, cogent, and irresistible. There are three or four circumstances which give additional force to those reasons. First, there is the peculiar manner in which that compact is drawn up; secondly, the fact that the Coronation Oath was altered in order to make it more binding; and thirdly, when you emancipated the Roman Catholics, and admitted them into this House, you distinctly recognized in the body of the Emancipation Act the strong and inviolable character of the agreement made at the time of the Union. To tell me that this is an Act which does not require greater consideration than other Acts, and that it may be repealed with as little ceremony as other Acts, is to make an assertion utterly untenable; and bear in mind that these contracts have been made by two parties, one superior to the other, at least in point of numbers in Parliament; and although that is no reason why you should not on sufficient grounds alter the contract, it is a reason why you should be very careful before you deprive the inferior party of the advantages you intended it to give them. What reasons, then, would justify you in altering that contract? The hon. Member for Huddersfield (Mr. Leatham) quoted a passage from Archbishop Whately, which will try this question, when he said that—

> "In order to alter such laws as these there should be a manifest inutility or a manifest hurtfulness in the institution which made it essential and important for the public welfare that it should be abolished."

Let me apply that test. Is the institution either manifestly useless or manifestly hurtful? I have heard it said to-night that it has failed as a missionary Church, and has no merits of its own. But I find that, in point of fact, it has increased in a greater ratio than either the Presbyterian or the Roman Catholic Churches. ["No!"] Of late years it has. And when I ask myself "Is it a useless Church?" I answer, "Is it, or has it been, useless as regards the learning of its prelates, or the purity of its doctrines, or the good it has done?" Are not these fair tests? I should be loth to believe the Church of Usher, Bramhall, and Bedell in the 17th century, or the Church of King, Leslie, and Berkeley in the 18th century, or of Jebb and Magee of later times, could be described as a useless Church so far as regards the learning of its prelates. And when I look to the good it has done and the purity of the doctrine it has maintained, I ask the British House of Commons—Is it nothing to you that that Church has been the firm friend of Imperial rule, the steady ally of British freedom, and a faithful witness of religious truth? Is it nothing to you that the members of that Church have constituted a resident educated tolerant gentry, forming a nucleus of civilizing influences, and that, too, when those who ought to have set the example have absented themselves from its soil? And is it nothing to you, when open foes and secret conspirators have led their attacks upon your institutions, that you have always found a faithful and devoted people in the members of that Church? I am not going to contend that the Church has no shortcomings. That there are in it many anomalies, many irregularities, and many abuses which ought to be corrected I do not deny; but, speaking in a British House of Commons, I say that, when we talk disparagingly of that Church, we should ask ourselves whether its fault did not lie less with the institution than with ourselves. We had better ask ourselves whether we, in fact, did not do too much to make it a political institution rather than an instrument of religion. Nothing can be more disgraceful than the way, during two centuries at least, in which its revenues were taken from it, and in which lay impropriations were permitted. Anglican prelates were sent over from this country to Ireland and fed with the best benefices, and their sons and their brothers were, of course, in due time provided for. As a natural consequence the Church suffered immensely, and the Native clergy were left in a beggerly state. [An hon. MEMBER: And so some of them are now.] Yes; but the hon. Member who says that knows things have materially altered since then. He knows perfectly well what was then the state of the churches, the glebe houses, the benefices, the number of the clergy, and everything connected with the Church down to the time of the Union; and he knows what has been done since. Immense exertions have been made to remedy the state of things which previously existed. The benefices have been increased, 600 glebe houses have been built, churches have nearly doubled, and the clergy have actually risen from 1,100 to 2,200. It might be said these were material improvements only; but let the Committee think of the conduct of the Irish clergy. The testimony of my right hon. Friend (Mr. Gladstone) is strong upon this point. He has spoken of their devotedness and zeal as equalling that of any clergy of any Christian Church in the world. Not only the friends but the enemies of the Church give similar testimony, and testified to their zeal in propagating Evangelical truth. Then, I say, can you abolish this Church as a useless institution? And if you cannot break the contract on the ground that the Church is useless, can you break it on the ground that the influence of the Church is hurtful? There were times indeed when the vestry cess and the tithe were extracted from the people, they had a grievance of which they could legitimately complain; but when these were abolished, and the payments were thrown on the Church's funds or the Protestant landlords, no practical grievance remained; and so you began to set up the sentimental grievance—and by some extraordinary hocus-pocus you tried to connect it with the disaffection of the people. I admit a sentimental grievance may be more galling than a practical grievance; but before you cut off that sentimental grievance by a violent measure you should satisfy yourselves of two things—first, that in doing away with a sentimental grievance as bearing on the mind of one class you do not a practical wrong, resulting in greater injury to another class. Secondly, you are bound to show that the dissatisfaction which you allege exists could be remedied by the removal of that sentimental grievance. Would a prudent physician amputate the limb of a patient suffering from a malady of the mind? Yet that is the very thing you propose to do. I ask any one, whether Irish or English, Catholic or Protestant, layman or ecclesiastic—can you, in the smallest degree, connect the present dissatisfaction and discontent with the sentimental grievance of the Irish Establishment? The truth is, the discontent of the present day differs from the discontent of all former times. What you now see is external, and fomented from abroad. It is, in fact, a wanton, wicked, and foul conspiracy—not against the Established Church — but against all law, order, and government; but the discontent you had before arose from some civil disability or practical wrong which you could redress, and if I wanted proof of that I would appeal to the remarkable pamphlet of the hon. Member for Westminster (Mr. Stuart Mill)— where, both in the beginning and end, it is there pointed out that we have done for Ireland all that a British Parliament can do. In the face of this the hon. Member solicits not merely to get rid of the Irish Church, but of every kind of religious endowment, and in the very last page he tells us that even if we do this we shall have done nothing to allay the disaffection and discontent unless we also settle the land question. For these reasons I think I have shown that, according to the terms laid down in the pregnant sentence of Archbishop Whately, you are not justified in breaking this solemn compact. You have not shown either the manifest inutility, or manifest hurtfulness of the institution you propose to destroy. Having said so much, let me advert very briefly to two or three other points. ["Oh, oh!"] I am in the hands of the House. One part of the subject has been but briefly alluded to, and with reference to this I desire to have some information from my right hon. Friend the Member for South Lancashire. In plain words, I mean this: —By the form of proceeding you have adopted you are proposing to abolish a sacred institution, and you have not intimated to us in any manner which we can understand, what other institution you are going to substitute for the religious instruction of the Irish people? My right hon. Friend has, indeed, pointed to several topics connected with the subject which are of great importance—namely, the total value which he puts on the whole of the Church property, and the particular value which he puts on that part of the Church property which he thinks ought to be given to the life-holders of its revenues. He is, however, entirely silent with reference to the surplus or difference. And though he tells us what the condition of the Church and the clergy is to be after these valuations are made, and this property is re-distributed, I will venture to say that nobody who examines that part of the case will find that the substitute he intends to provide for it, is either a substitute in fact, or a substitute which the people of the United Kingdom will ever sanction. The value of property my right hon. Friend puts at £16,000,000, including in that valuation the parsonage houses, the churches and advowsons, the tithes, and the lands belonging to dignitaries. But he has not told us how this valuation is made up. He has not told us whether the property is to be brought into the market, and the value ascertained there; he has not told us whether the State is to hold it, and, if so, on what trusts; and he has not told us— which is the most important part of all— how much of this property has been made up of private benefaction. Nor has he alluded, even in the briefest manner, to that which has hitherto been considered the most important statute on the statute book of Ireland—namely, the Act of Settlement. When you come to examine that portion of the subject, I believe you will find—I give no positive opinion till we have the facts before us, and what I am now complaining of is that we are dealing with this question without having the facts before us—I believe you will find that the Act of Settlement secured to the Church one-fifth of the whole of its property, which property never belonged to the Church of Ireland while Roman Catholic. Nay, more, I believe you will find that the security given for that property to the members of that Church is precisely the same as that given to laymen taking under that Act of Settlement. I ask, therefore, not merely whether your valuation is correct, but whether the same principles can be applied to other portions of the property, secured by the Act of Settlement, which you are going to apply to the property of the Church? Then, with regard to the existing holders, there are two or three questions which I should like to put;—first, whether you are going to capitalize those revenues; and, if not, then whether you are going to pay the life-holders out of the revenues which the State has so taken possession of. If the former, how will you leave anything for those who come after? If you pay them out of the revenues taken possession of by the State, then when the lives of these different life-holders come to an end, I should be glad to know what is to become of the surplus. I ask this, bearing in mind one of the most important observations made by my right hon. Friend—namely, that these gentlemen would enjoy, no longer amid an alienated and discontented people, the property which had so been secured to them, but they would enjoy it with the perfect cordiality and good-will of all sects, of all persons, and all persuasions. How will this statement apply to the successors of the present incumbents, who, according to one of the alterations, will have no property at all? It is a mockery to talk of their enjoying the property with the cordiality and good-will of people of all persuasions, when you are taking away that property and applying it, possibly to some miserable secular purpose. Then I come to the more important question of the total silence of my right hon. Friend—a total silence as to what he is going to do with the surplus, or the difference between £16,000,000, which is the total estimated value of the Church property, and £9,600,000, which is the estimated interest of the life-holders, What is going to be done with that, and to what purposes is it to be applied? My right hon. Friend has been pressed by questions which made him admit that he is going somehow or other to put an end to the grant to Maynooth and the *Regium Donum*. But is the grant to Maynooth to be redeemed out of the Church property? If it is to be redeemed, what are the terms upon which that redemption is to be effected? Are you going to give them merely the life income which our clergy are to receive, or are you going to give them the full value of the £30,000 per annum in perpetuity? If you intend to adopt the latter course you are going to treat the priests of Maynooth in a different manner from what you are going to treat your own clergy. Would that be just? But perhaps you are going to redeem this grant out of the Church funds. If that be the course that it is intended to adopt, let me tell the right hon. Gentleman that he will get no support from those who are now his most able and powerful allies. From what I read of the proceedings at the Metropolitan Tabernacle, I find that Mr. Spurgeon wrote a letter to the hon. Member for Birmingham (Mr. Bright)—dealing with him almost as a Minister of the Crown—and putting it to him whether he was going to give as douceur to the Roman Catholics any portion of the Church property; for, if he was, nothing on earth would induce the Dissenters to agree to such a course. But if you do not intend to redeem the Maynooth Grant in that manner are you going to resort to the principle laid down, I am sorry to say, so often by the right hon. Member for Calne (Mr. Lowe), of applying this property to secular purposes? I contend that that which was given for the purposes of religion ought still to be preserved for purposes of religion. Are you going to act upon the docrine so often inculcated by the right hon. Member for Calne, that there is a broad distinction between property held by corporations and property held by individuals? ["Hear, hear!"] "Hear, hear," says the hon. Member opposite. Has he considered upon what the rights of property depend—has he fully considered that upon the preservation of the rights of property depend all the improvement, all the progress, and all the civilization of mankind—that hitherto it has been supposed that the rights attached to property give to its owners the fullest powers of accumulation and the freest power of transmission and disposition, subject only to the qualification that it may be regulated and restricted beforehand by laws dictated by public policy? Unless property held by corporations is forfeited and abused, it stands upon precisely the same terms as property held by individuals, and the only difference between property held in these two ways is that the one is sacred to persons and the other to purposes. In dealing with property sacred to purposes you will find that more care is required than in dealing with that sacred to individuals; for it must never be forgotten that persons are fluctuating and transitory, while purposes may be and often are of the highest moment and of a permanent character. Now, Sir, having dealt with this part of the subject, I will next advert to the condition in which the Church will be left in the event of its disestablishment. The right hon. Gentleman proposes to leave the Church with the fullest power of self-management, with the fullest power of development, and entirely uncontrolled by any laws external to itself. By placing the Church in that position the right hon. Gentleman will strike at most of the objects for which Establishments have been founded, and at the means by which the doctrine and discipline of the Church is to be maintained. The objects for which an Establishment is founded are these—that in every nook and corner of the kingdom there should be provided for the people the ministrations of religion, religious instruction, public worship, and pastoral superintendence; and if you take away from any portion of the kingdom the right to these things which the laity have hitherto enjoyed, you strike at the very root, not only of an Establishment, but at everything which the people and the country hold most dear, and which are to them full of permanent advantage. Talk of securities! The securities the people are entitled to ask for are the securities which connect the Church with the State, and the placing the Church in due subordination to the civil power. Those are the securities which have given to the people the perfect knowledge of the worship and liturgy to be used, and the doctrines which are to be taught in their churches. What does the supremacy of the Crown consist of? Two sets of laws—the one negative, the other positive. By the negative laws you deny the right of any foreign Prince to have jurisdiction or to exercise authority within this realm. By the positive laws the appointment of Bishops was vested in the Crown as well as a great portion of the temporalities; and the liturgies read and the doctrines preached in the Church are settled by Courts of which the Crown is the head. Take away the right which the people of this country now possess, and I ask you, what becomes of the supremacy of the Crown? You will then have two Church organizations in Ireland — one of them Roman Catholic and the other Episcopalian — both entirely independent of the Crown. Now, I ask, is that a favourable state of things for the stability of the British rule? Will that strengthen the union between these countries? Will that tend to the harmony and peace of which we have heard so much? Will that secure to the people of this country their primary rights? They claim at your hands perfect freedom from sacerdotal tyranny on the one hand, and from wild fanaticism on the other. My right hon. Friend (Mr. Gladstone) quoted with effect more than one passage from Mr. Burke, who is full of instruction, and other passages from the opinions of the same statesman were quoted by the late Solicitor General for Ireland. But there are passages which neither my right hon. Friend nor the hon. and learned Gentleman thought of quoting, though they are the most important on this subject which Mr. Burke ever published. They are not only his general notions of Church Establishments, but they are his particular reasons for maintaining the Church Establishment in Ireland. I therefore commend them to the attention of my right hon. Friend. Mr. Burke did not, it is true, approve of the condition of the Church in Ireland. He found fault with its anomalies; but he says he wishes well to that Establishment for several reasons. He wished well to it because it is the link which holds fast religion to the Government of the country, and which forms a sensible connection between England and Ireland. He wished it well because it is the Establishment of the religion of the great majority of the proprietors of land, with whom all Establishments ought to be connected. [" Oh, oh! "] An hon. Gentleman interrupts me; but, if he inquires, he will find that at this moment, I believe I may say, nine-tenths of the land of Ireland are held by Protestant proprietors. Mr. Burke says further that the Protestant Church of Ireland is the only one of the Churches in that country which could be connected with the Crown, such connection being the mainstay of the Constitution. I think those reasons are just as applicable now as they were in the time of Mr. Burke. With regard to that which was urged so frequently the other night by the noble Lord the Member for North Lancashire (the Marquess of Hartington)—and it is the only topic, if a true one, which ought to have a material bearing on this part of the question—I allude to the pacification of Ireland, or as he called it, a message of conciliation and peace—I wish to ask you whether, if this Resolution is interpreted as a message of peace by one party, it will not be interpreted as a message of war by the other, when they feel the wrong you are about to inflict upon them. We all of us wish — it is our most anxious wish — that disaffection and discontent in Ireland should be brought to a close. But you never will bring them to a close by irritating and attacking those who have been truest to you in all your trials. I believe that both sides of the House might adopt a policy which would enable all classes in Ireland to join amicably and cordially in endeavouring to effect the happiness of their common country; but if you wish to enable them to do this, you must not agree to a measure which savours of class legislation, which will drive them more than ever into hostile factions, and strengthen and perpetuate rivalry and ill-feeling between race and race and creed and creed. Remember the famous saying of Baxter—"That religious freedom should be volcano's heat; and on the lava and ashes of former eruptions there should grow the peaceful olive, the cheery vine, the sustaining corn." Ireland, to our shame and sorrow be it spoken, has been torn by convulsions which were not sent as corrections from Heaven, but were scourges inflicted by the hand of man. But a new era has been recently coming upon her. Better days for her appear to be dawning; and, down to the time of this wicked Fenianism, and even in spite of that wicked conspiracy, there has grown up on the lava and ashes of former convulsions more order, more tranquillity, more industry, and more employment, kindlier feelings, warmer sympathies, higher hopes, and brighter aspirations than Ireland has ever enjoyed before. If, then, you wish this better state of things to continue, I am perfectly confident the way to realize that object is not by passing any measure which will break down fundamental laws and break through the most solemn compacts, but it is by continuing those institutions which have been the result of wise legislation, and which ought to be maintained in strict conformity with our Parliamentary engagements.

Lord ELCHO: If this were the first night of an important debate such as this, I should feel that it was an act of the grossest presumption on my part to obtrude myself upon the House; but, Sir, as you will do me the justice to admit, I endeavoured to catch your eye at an hour of the evening when the attendance in the House is usually very small. Having said this much, I protest against the tone of apology adopted by the hon. and learned Gentleman who preceded the right hon. Gentleman who has just sat down. He apologized for speaking at all upon this subject. Now, I hold that, be the debate long or be it short, Members of this House who have strong opinions on this question of the Irish Church have a right to express their opinions. I say this as a matter of principle, and not as a matter affecting myself personally; and I say it because I have observed that throughout this debate there has been an attempt made on this (the Opposition) side of the House to prevent discussion. ["No, no!"] The tone has been this—that the debate on this important subject ought not to be prolonged. Why? Lest it should interfere with the other business of the Session. But if it does interfere with the other business of the Session, who is to blame? I maintain that this question is now brought before the House in an entirely new light and position. Thirty years have passed during which this question has been, more or less, brought before the House; but this is the first time it has been brought forward by a person occupying the prominent position of the right hon. Gentleman, and the first time a proposition has been made from that Bench for total disestablishment. It is now neither more or less than a majority which is strong attempting to force a question through this House. When hon. Gentlemen on this (the Opposition) side talk of prolonging the Session and interfering with the course of business, it is something like knocking a man down and then kicking him for falling. Or their conduct might be compared to that of the wolf who complained of the disturbance by the lamb of the waters below the spot where he was standing. Having entered this protest, I wish to express briefly the strong feelings I entertain upon this question. I wish to enter my protest against the time and the manner, and the thing proposed to be done. The time and the manner have been apologized for by the hon. and learned Gentleman (Mr. Young) on the ground that it was a party vote, necessary to re-unite the Liberal party. I do not in any way question the right of this side to take that course. It is the traditional policy of the Liberal party to force on in Opposition measures they oppose or allow to slumber when they are in Office; as it appears to be, I am afraid, the traditional policy of the other side to carry in Office measures they oppose in Opposition. Now, that such is the traditional policy of this side of the House cannot be disputed. I well recollect the year 1848. I was a Peelite. There was a strong body of Peelites then. We had an organ in the press. [*Cries of* "Name!"] It was *The Morning Chronicle.* I well recollect an article in *The Morning Chronicle* of that day—the year of revolution and Chartism—which said—

> "We ought to be most thankful that the Whigs were in office, because if they had not been in office the Charter would have been the law of the land, and we should have seen an ex-Whig Minister, in order to enforce it, breaking the windows in Pall Mall."

I do not know who wrote that article. We have two right hon. Gentlemen, then Peelites, who are at present Members of the Whig party — the Members for South Lancashire and the City of Oxford (Mr.

Gladstone and Mr. Cardwell). I do not know whether either of those right hon. Gentlemen wrote that particular article; but it was their newspaper at the time. The right hon. Gentleman (Mr. Gladstone) shakes his head; but I deliberately assert that *The Morning Chronicle* at that time was the political organ of the Peelite party. ["Question."] I am coming to the question, but it must have an introduction. The question is this—Suppose at that time anybody had hinted to either of those right hon. Gentlemen that they, in twenty years, would in their own persons and acts exemplify this traditional policy of the Whig party, how would they have repudiated the insinuation? But I leave both sides of the House to judge what would have been the feelings of indignation of those right hon. Gentlemen if anyone had then ventered to assert that the special way in which they would exemplify it would be by the one proposing and the other supporting the disestablishment of the Irish Church—both being the devoted pupils of Peel and Graham—of Peel, who, when he passed the Emancipation Act and the Maynooth Act, thought he had taken every necessary security for the permanent establishment of the Irish Church; and of Graham, who thought it necessary to leave the Liberal party in consequence of their measures in connection with that Church. I now come to the other point—I oppose this measure not only on the question of time, but because of the thing we are asked to do—to disestablish the Irish Church. What is the reason given for this? It is said to be a great act of atonement for misgovernment. We are to offer up as a victim that Establishment which was planted among other things to maintain English interests and English connection. I, for one, am not prepared to clothe myself in a penitential sheet, and throw ashes on my head for the misgovernment of Ireland. I do not wish to rake up history and refer to the Cromwellian severities of the massacres of Protestants, for which these measures were the reprisals. We are not responsible, I boldly assert. This generation and the last generation of statesmen have nothing to bring home to their consciences the blame of Irish misgovernment. If there were time I would show that, in respect to civil Government, Ireland was more favourably treated than any other part of the United Kingdom. When an hon. Gentleman behind me talks of the sums of money taken from Ireland, I may mention that there is a Return on the table showing that, while the revenue in Scotland arising from taxation is double that in Ireland, the public money spent in Scotland is not one-half or one-fourth of what is spent in Ireland. When it is said that this is to be a great measure of atonement to pacify Ireland, I beg to say that it is not the religious question which agitates that country. Sir George Lewis, writing in 1833, said that the Whiteboy organization was not the result of the Irish Church. In the six years before the passing of the Roman Catholic Emancipation Act, what was the number of murders committed in Ireland? 600 and odd; and in the six years after the passing of that Act the number of murders was 1,200 and odd. As a measure of pacification at that time the Act of Emancipation completely failed; and will any man now stand up and say that at the present moment the state of Ireland would be pacified by the passing of this Motion for doing away with the Established Church? Was the murder in Ireland caused the other day by any religious cause? Was it a religious cause which in Canada brought about the death of the Roman Catholic D'Arcy M'Gee, or which guided the hand of the assassin in Australia? I say that we cannot find any cause for blame in the civil government of Ireland; and I go further and maintain that there is no cause for blame in reference to the religious government. Our policy in a religious point of view has been a policy of toleration, concession, and conciliation; and what has been the result? Every possible conciliation has been offered to a Church which never will be satisfied—never will be satisfied without total and complete supremacy. Those who now demand the disestablishment of the Irish Church are they whose forefathers accepted Roman Catholic Emancipation on the condition that permanent safety was to be secured to that Church. I have always felt the greatest sympathy for Ireland. I have Irish blood in my veins. ["Oh, oh!"] I am not aware that that is a circumstance to be ashamed of. I have always supported every concession to the Roman Catholics. I voted for Maynooth, and the night before I stood for my election I was told that if I gave my vote in favour of the grant I should lose my seat. I voted for Roman Catholic chaplains in gaols and in the army; and in spite of the celebrated "Durham letter," when "No Popery" was chalked up and somebody ran away, I was one of the twenty-one Members who resisted the Ecclesiastical Titles Bill. On this very question of the Irish Church I am one of those who have talked loosely. With regard to it I have hitherto felt and said that there appeared to be a great and grievous anomaly ; but that it was a question so remote in its nature that it was not likely to come before us in our time. What conclusion must I come to? Why, that I cannot follow the right hon. Gentleman the Member for South Lancashire. And why? Because this is not an Irish question. It goes a great deal farther than that. What is the principle upon which we are called to act! We are two parties in this State, and both of us are bound to do what is best for the interests of Ireland. Both advocate the principle of religious equality. I deny that that principle is in existence in the Constitution. And I further deny that if you follow this principle of religious equality absolutely or necessarily, whether you "level up" or "level down," it leads to one or other of these two conclusions—the repeal of the Union as the total disestablishment of all Established Churches. When I say that, do not mistake me when I say religious equality as it exists in our Constitution—I do not mean religious toleration—that to the fullest extent is indeed the great principle applied by the State to all religions in all parts of the country. Let me take this principle of religious equality—as it binds the Church of this country to the Irish Church—first on the "levelling up" principle. What the "levelling up" principle means I do not understand. We have had no explanation of it ; but, so far as I can understand it, it must mean this—sooner or later, in some way or other, the endowment of the Roman Catholic Church, a Roman Catholic University, and the giving a social position and status in Ireland to the Roman Catholic priests, which we should all rejoice to see has already been given to Archbishop Cullen at the Vice regal dinner. Will this go beyond religious equality? Certainly not. Were it a religious equality unless the Roman Catholic Bishop is to sit in the House of Lords as well as the Protestant Bishop? Where is the religious equality of Ireland unless the Lord Lieutenant of Ireland is a Roman Catholic? I apprehend it will be consistent with our Constitution. There will be Roman Catholic Bishops sitting with the English Bishops in the House of Lords, if it is consistent with the present Constitution. Now as to the "levelling down" principle. Will that go beyond religious equality? We know what the "levelling down" principle means, at any rate. It means the total disestablishment of the Irish Church. I maintain that as long as the Union is maintained the total disestablishment of the Irish Church—putting all Churches in that respect on an equality—will not give religious equality to the Roman Catholics in the United Kingdom. It was an argument of the right hon. Gentleman to-night that it was not a question of voluntaryism, but a question of the majority of a certain persuasion. What I distinctly maintain is that logically you cannot get out of that position; and that the disestablishment of the Church of Ireland logically means the disestablishment of the Church of England and the Church of Scotland. I know I shall be met with this remark — "That is all very well in theory, but we are practical people. It is expediency." We had that word to-night from a distinguished Member of this Bench—"It is expediency that demands the disestablishment of the Irish Church, and there is not the slightest chance of the Established Church in Scotland or in England following the Church of Ireland." A word upon that. What is it that has brought about the present state of the question? ["Order."] I have no hope that hon. Members on this (the Opposition) side of the House will allow those who are in the minority to give an expression of opinion, especially upon a question respecting a cause which they think is bad. How is the present position of the Irish Church brought about? By three causes. We have here, as it is in America—["Oh, oh!" *and* "Order!"] It has been brought about in this way. You have in this country a Roman Catholic party united as one man; you have here two parties who, without the aid of that Roman Catholic party, cannot maintain their position in this House. I must specify the measures that are resorted to in order to maintain that position ; but as in America, at the present time, certain measures are taken in the Presidential election in order to win the Irish vote, so in this country there are certain measures proposed from one side of the House in the hope of gaining the Irish vote. That is one influence at work to bring about this state of things. Another is the power in this country of voluntaryism and the Liberation Society. The House appears to forget that these are days of reconciliation upon this (the Opposition) side of the House, and that this is a general measure of reconciliation. Well, the hon. Member for Birmingham (Mr. Bright) is a distinguished member of this powerful Liberation Society.

**Mr. BRIGHT**: I beg to say that I am not a member of the Liberation Society.

**Lord ELCHO**: I congratulate the hon. Gentleman upon this—that, being one of the most determined opponents of Establishments in this House, he is able to say that he has not joined a society with which he entirely sympathizes. Now, what is the programme of the Liberation Society? [" Question! "] Their programme consists of four parts—church rates, Ireland, Scotland and England. The first of these acts is played out. The second is being played out, and the members of the Liberation Society are too honest, and, indeed, too confident, to deny that they look with something like certainty to the completion of this programme. The other cause which has brought about the present state of things is the exigency of party. Will any man tell me that these causes, which are in force now, will be diminished by the passing of this measure? Does any man doubt that, in the course of a few years, some right hon. Gentleman will get up, and, pointing to some one whom he had previously opposed, will say in reference to the Scotch Church, " Now is the hour! Behold the man! " Am I speaking without book of what is before us? I know there are many Gentleman on this side of the House who, if they thought that by the vote they are about to give they would eventually disestablish the Church in Scotland and in England, would shrink from giving that vote to-night, and I wish to point out to those hon. Gentlemen what is marked out for them by the head of the voluntaries in this country. The aim and end of the voluntary movement was sketched by Mr. Miall ten years ago; and it is clear from what he said that the application of this principle to Ireland will re-act upon the Churches of Scotland and England. Now, I think I am justified in saying that we shall see the same state of things brought about in this country that is now proposed for Ireland. [" Divide! "] I trust the House will pardon me for thus giving expression to my opinions, feeling, as I do, that this is a question to be argued not upon expediency but upon principle; for if argued on expediency, we know not how soon expediency may come to the conclusion that it is desirable to do in Great Britain what you are now doing in Ireland. I hope in the remarks I have made I have said nothing which can give offence to my Roman Catholic fellow-countrymen. I have done all in my power—saving always this great question—to promote their views for the extension of their religious liberty; but when I am asked to give my vote to root up that which has been established for three centuries, when I see that, logically, and, I believe, practically, it will lead to the same results in this country, I regret that I must give my vote against the Motion of my right hon. Friend.

**Mr. GLADSTONE**: I waited, Sir, until the last moment in the expectation that the right hon. Gentleman at the head of the Government would address the House, and in the belief that I was acting conformably to usage, as the person who proposed the Resolution that is now before the Committee, in desiring not to offer any remarks that I might feel necessary until the rest of the discussion had been wholly concluded. But as that is not to be so, I take occasion to observe that during this debate, which has ranged over a wide field, and now at the end of the eleventh night—and I, for one, do not grudge the time bestowed upon so important a question—the discussion has turned in general upon accessory and secondary matters, and not upon the merits of the Irish Church itself. But, after all, at this we can hardly wonder, for the case of the Irish Church is simple enough. The hon. Baronet who commenced the debate this evening (Sir Michael Hicks-Beach) in a very attractive speech stated, and laid great stress on the statement, that the Irish Church at present exists. Well, Sir, that is an admission to which I attach great importance. It is an admission which we are constrained to make, and I think it is almost the only admission with respect to it that can possibly be made. For when we are asked to show cause for the removal of the Irish Church, assuredly it is enough to say, in recommending that the existence of the institution be brought to its term, that it never has fulfilled—that it is demonstrated it never can fulfil any of the objects for which a religious Establishment is constituted. It is not the Church of the nation, but the Church of a fraction of between one-eighth and one-tenth of the nation. It is not the Church of the poor, for my right hon. Friend the Member for Cambridge University (Mr. Walpole) has just told us that nine-tenths of the land of Ireland is in the hands of its members. It is not a Church supported and propagated by us on the high ground of truth, because, along with the magnificent endowments that we allow to continue in the hands of the Established Church in Ireland, we take care to vote, inconsistently from the public funds of this country, a sum for the support of that College whence go forth the pastors of the Irish people, who receive an education supplied at our expense. It is not even a Church maintained for the support and propagation of the Christian Faith, for it is clearly demonstrated by figures which no man can dispute that for that end it has entirely failed. The Home Secretary, indeed, thinking to pass lightly over this subject, said he knew of no figures except those of the last thirty years; but, whether the right hon. Gentleman chooses to know of them or not, it is an undoubted fact that there are Returns which have always been thought to come from trustworthy persons and persons of authority, such as Sir William Petty. Moreover, as I have told the right hon. Gentleman—and he may satisfy himself if he pleases—that about 140 years ago a careful Census of the religious persuasions of the people of Ireland was made, under the authority of the Government of the day, and that Census, concurring with Sir William Petty and every other investigator, stated the proportion of Roman Catholics to Protestants as much lower than that which now exists after three centuries of Protestant ascendancy. For what purpose, then, does the Irish Church Establishment exist? Not for any of the religious purposes that should consecrate the existence of a religious institution. It exists, unfortunately, for other purposes—for the purpose—I freely admit the merits of its governors and ministers—of keeping alive in Ireland the remembrance of bitter animosities, and for still establishing and maintaining, in a form palpable to the people, the principle of religious inequality and religious ascendancy. It is not wonderful, under these circumstances, that the debates of this year have taken a course very different indeed from those of thirty years ago, and that the defence of the Irish Church has been based mainly and almost entirely upon grounds extraneous to that Church itself. Now, Sir, we have before the House and the Committee—before Parliament and the country — not one policy but two. It is admitted by Her Majesty's Government, as much as by us, that the present state of things cannot be maintained; that, in the face of official responsibility, you cannot confront the people of Ireland and contend that the present condition of religious endowments in Ireland ought to remain unchanged. There is the policy of the Government, which may be said to consist mainly in the first instance of procrastination. Now, that is a policy which in our judgment is, I think I may say, almost inadmissible. We contend—and I shall presently endeavour to show—that if ever there was a moment calling for decisive action on the part of the Legislature, that moment is the present. But, although the policy of procrastination is adopted, the Government have given sufficiently clear indications of the course they would pursue. The right hon. Gentleman at the head of the Government has told us—not this year only but last year—in terms not to be mistaken, that we are to create and not to destroy in the matter of religious Establishments in Ireland; while the noble Earl the Chief Secretary, the person next in authority with respect to Irish questions, has stated in terms still more distinct and with more detail, that the Government have no objection to the establishment of religious equality in Ireland, provided that equality be brought about not by taking from the existing Establishment, but by giving to those who receive no public endowments, and by increasing the unworthy and inadequate endowments now enjoyed by the Presbyterians. Thus the policy of the Government is the policy of joint Establishments. I know, indeed, that the notion of paying Roman Catholic priests is disavowed by the right hon. Gentleman. He contemplates more than that. He contemplates a greater solidity of position for them than as the mere stipendiaries of the State; he evidently concurs in the remark of the noble Earl (the Earl of Mayo) that equality is to be established not by taking away from those who have, but by giving from the resources of the State to those who have not. Such is the policy of the Government. It was presented to us at the very outset of these discussions by the noble Lord the Foreign Secretary (Lord Stanley), and it was presented to us the other night by the noble Lord the First Commissioner of Works (Lord John Manners). The noble Lord (Lord Stanley), whom I have not seen present for a single moment during the later stages of the debate, treated the subject in a manner indicating perfect readiness to deal with the Established Church in Ireland in any way that might be found convenient. By the noble Lord the First Commissioner of Works we were assured that Her Majesty's Government only occupied these Benches in order to be of use to the Church Establishment of Ireland, and that the moment they found they could cease to serve its interests there they should withdraw. It was impossible to conceive a more violent contradiction than the contradiction between the whole tone and substance of the speeches of those noble Lords; and I am sure that neither the noble Lord the First Commissioner of Works nor anyone who heard those speeches will contradict me when I say that between the speech of that noble Lord and that of the Foreign Secretary who first announced the policy of the Government in this matter, a wider divergence could not exist. But, Sir, the policy of joint Establishment is not admitted even by the followers of the Government. The hon. and gallant Member for West Sussex (Colonel Barttelot), who opened the debate on Tuesday evening, avowed at once that for himself and for the generality of those with whom he communicated in his own part of the House he entirely repudiated that policy, and he then went on to lay down a policy, perfectly different in the sketch, of a mode of proceeding which he drew for himself, and which was nothing else but the revival of the old Appropriation Clause. The hon. and gallant Gentleman said that you ought first to provide for the wants of the existing Church Establishment of Ireland, and then to dispose of the surplus property of the Church in some other manner, and that if you gave it to general education it would not be much amiss. That is precisely a revival of the plan of thirty-three years ago, which was then contended for by the Whig and Liberal party, and which was defeated by the Conservative party, and I must say by the public opinion of England; but whichh as now passed, like many other forgotten and abandoned ideas of the Liberal party, into the hands of hon. Gentlemen opposite. This is the position of the Government: divided among themselves—divided in the whole character and tone of the addresses which they make to the House, and repudiated expressly by important supporters of their own from behind them in respect to that they think essential for Ireland—namely, a departure from the present ground of simply maintaining the Irish Church Establishment, and an attempt to alter, as the right hon. Gentleman called it, the status of the other religious bodies in that country. With respect to those who sit on this side of the House, I must tell my right hon. Friend the Member for the University of Cambridge (Mr. Walpole) that he will in vain address to me a series of questions belonging to the construction of a plan necessarily most elaborate and difficult—and most unfit and improper, in my judgment, to be introduced into this House by any person except the Executive Government of the country. It is from no disrespect to my right hon. Friend that I decline to enter upon an answer to those questions. He is perfectly at liberty to argue as he pleases upon them. I know very well the responsibility which I undertake in the endeavour to move this question. It has not been done lightly; nor shall I shrink from meeting its demands, whatever they may be. But I will not put to hazard what I think are great public interests, nor will I step beyond the limits of the province that belongs to Independent Members of this House, by undertaking that which would be a most arduous task for persons armed with the necessary means of information and authority; but the attempt to undertake which, without those means of information and authority, and before the proper time had come, would be indeed an act of the gravest imprudence. But, Sir, the first object of the policy that we profess is justice to the Irish people — to the whole people of Ireland; but especially, no doubt, to those who are the great majority of the people of that country, and upon whom the burden of all that has been corrupt, and all that has been oppressive in its Government has principally weighed—I mean the Roman Catholic population. But although our policy has for its aim the giving of justice to that country, I must also say it has commended itself to the Protestant opinion of this country. I will venture, as the shortest and simplest way of laying before the Committee the point of view from which it is so regarded, to read a part of a very short Petition from a congregation at Newport, in Pembrokeshire, which I think states, intelligibly and clearly, the view which most thoroughgoing Protestants in the stricter and even narrower sense of the word may take, and is taken, of the Resolutions now before the House. The extract is as follows:—"Your Petitioners"—[An hon. MEMBER: How many signatures?]—I am not going to read the signatures, nor do I rely upon the signatures. There is such a thing as argument, and statement, apart from signatures. It is altogether as a rational statement of opinion I am about to read a part of this petition, and not in the least on the ground of the signatures attached to it. It is as follows:—

> "Your Petitioners are convinced that the maintenance of the Protestant Establishment in Ireland, being in itself a manifest injustice, and a constant source of irritation, has been and still is a great hindrance to the reception of the Protestant Faith by the Irish people. That your Petitioners view with alarm and regret the various concessions to Popery which have been already made in the shape of Maynooth endowments, and the recent proposal of Her Majesty's Ministers to create and endow a new Roman Catholic University in Ireland. That your Petitioners observe that all these concessions to Popery are justified on the ground that they are a kind of set-off against the injustice of maintaining a Protestant Establishment in Ireland. Your Petitioners therefore pray"—

I think very naturally, as the sequence of the considerations they have set forth—

> "that your honourable House will take such steps as may be necessary to disestablish and disendow the Established Church in Ireland."

If it were at an earlier period of the evening I should have been desirous to refer to an accusation made against us of coalition or conspiracy amongst certain parties—accusations which proceeded from the right hon. Gentleman under circumstances of a character that made me think it more befitting to pass them by at the moment in silence—but which has assumed a more serious complexion since, in consequence of his having adopted them in a written correspondence. My desire and my temptation is to enter upon that subject and to show that not only that statement of the right hon. Gentleman was not true, but that it was the exact reverse of truth, and that the very perons whom he indicated as favourers of the plan and the policy we have laid before the House were at that moment his own favourers, busy doing everything that could be done to discredit our propositions and to strengthen his hands. With the materials of that proof, I think I am abundantly furnished; but I pass from the subject in consequence of the lateness of the hour. Only this I will say, while we admit the existence of no conspiracy, we claim, I hope—at least I claim—to be in spontaneous concurrence with that party over all the world, by whatever name it may be called, which in any country is endeavouring, for the sake of social justice, to break down the system of religious ascendancy. Perhaps I may be permitted, in illustration of what I have said, to read a passage, not unworthy of the notice of this House, from a speech delivered a few days after our last debate in the Austrian Chamber at Vienna. The House knows that there, as well as here, there is a battle against religious ascendancy; but there the Protestants are in the minority, and are struggling for liberty; here the Roman Catholics are in the minority, and are struggling for equality; but the principle is the same, and the speech to which I refer was delivered by a gentleman who is now endeavouring to obtain by law in the Austrian Chamber, along, I believe, with the great majority of the representatives of the country, the relaxation of the severe restrictions imposed under the recent laws of that country in consequence of the Concordat with Rome. Mr. Kuralter, to judge from the tenour of his speech, is a Liberal Roman Catholic. He says—

> "The Liberal party in England has introduced a Bill into Parliament by which the tyranny of the State Church in Ireland is to be brought to an end."

["Oh!"] Well, Sir, I cannot be surprised that Gentlemen in this House, and particularly Gentlemen on that side of the House, should use their freedom of indulging in audible exhibitions of their dissent from the sentiments of this Austrian speaker. But I wish to point out to them that which has been said before, and that which they may depend upon it is no unimportant element of this controversy—namely, that out of this country, among educated, liberal, and enlightened men, there are not two opinions; there is but one opinion on the great controversy with respect to religious ascendancy between England and Ireland. He continues—

> "That party has determined that the Emancipation of the Catholics carried in 1829 should at least become a reality and a truth, and that one further step in advance should be made. It demands that this Church, with its oppressive privileges, that this Established Church—this English State Church, which in Ireland claims rank above the Roman Catholics, should cease to exist. Gentlemen, that is the demand of the Liberal party in England; as the law before us is the demand of the Liberal party in Austria. It is for you to draw the parallel. In England the Roman Catholics, in Austria the Protestants and other

minorities are to be relieved. There is the Catholics, here it is the Nonconformists; but the principle is the same."

That is the alliance to which, if it is charged upon us from the other side of the House, we are ready to plead guilty. Now, the objections which have been made to the proposal before the Committee are, in point of fact, mainly two. One of them is founded on the effect which the adoption of the proposal will have upon the Church of England, and the principle of Establishments in general, and the other refers to the time at which the proposal has been introduced. Now with respect to the Church of England. I have not troubled the Committee at any length on former occasions; but I think it right I should hold explicit language on that subject; because I know quite well that if I were to say that this is not the time for its consideration, and that the question of the Church of England was too remote, that would be an insufficient answer. Some years ago—three years ago—and even, perhaps, two years ago, but certainly three years ago—I believed the question of the Irish Church was remote; but that which then made the question of the Church of Ireland appear remote was simply this—that the state of opinion in the English mind was not ripe for its entertainment. No one will find that I ever stated that the case of the Irish Church at that period was not ripe for legislation; but the indifference which pervaded the public mind on the subject was, in my judgment, such that any man who had endeavoured, in a responsible position, even to direct the action of a party against the continuance of the Established Church of Ireland at that time would have been guilty, in point of prudence, of an error calculated to be highly injurious to the public interests. It would not have been an act of prudence to have attempted to deal with the question until a period had arrived at which there was a likelihood of closing it. I feel the responsibility of opening it now; but I have not been backward in bearing my share of the responsibility, because I am convinced that the time has arrived when the hope of closing it is offered to our reasonable expectations. Now, Sir, with respect to the Church of England; I remember very well at the time of the debates on the Ecclesiastical Titles Bill, when I think I last had the opportunity of voting with the noble Lord the Member for Haddingtonshire (Lord Elcho), that it was stated and felt that the dangers to the Church of England were great and serious. Well, those dangers have continued; but along with her dangers and her divisions have continued also her life, her progress, her increased and increasing efficiency and efficacy in the discharge of her duty, and I own I cannot see how her national foundations, which are sufficiently broad, can be weakened by submitting her to the test of all the principles which go to justify a national Church, every one of which condemns the Church of Ireland. No doubt she has many enemies, and I shall, I know, only draw forth a responsive and sarcastic cheer from the other side of the House, when I say that, unhappily, many of the enemies of the Church of England, though not in intention, are to be found amongst her own friends. Who they are may be matter of dispute between us. I am not one of those who think that because the Church of England is a State Church that it is not therefore the business of those in authority within her borders to make any provision for the increasing exigencies which every day brings upon her, and which can only be satisfied by the exertion of her own voluntary energies. The assailants of the Church of England are various. There is the Liberation Society, which is a perfectly open manner of assault; but she unhappily incurs other dangers. Those men tend to weaken the foundations of the Church of England who push their principles so far as to deprive her of all dignity by forbidding her to be the teacher of a defined and substantive religious system. It seems to me, likewise, that those friends of the Church of England, if they may be so called, greatly weaken her, who are in the habit of picturing her condition, supposing she was deprived of State endowments, as one altogether to be deplored. Sir, it is a satisfaction to me to do an act of justice to an opponent, and I have pleasure in saying that the course I have described has never been pursued by the right hon. Gentleman at the head of the Government; but there are a class of persons attached to the Church of England who contemplate the change of condition that would carry her over into a state of a voluntary society with feelings of extreme alarm, and they immediately raise most disparaging comparisons as to the moral effect of Establishment and endowment, so that, accepting them as a fair example of what Establishment produces, its result seems to be to emasculate the mind of those who are connected with bodies receiving support from the State, and to deprive such bodies of those better energies which were their own original and indestructible inheritance. Then again I must own that the extravagant claims made upon the part of the Establishment are, in my opinion, among the most effective modes of inflicting injury upon her; threats and menaces have been used regarding measures that have nothing to do with the religion of the Establishment, but touch only its temporal incidents. We have been told, and that not many days ago, with reference to discussions now going on in the walls of this House, that there are 20,000 pulpits in England, and if we do not take care what we are about those 20,000 pulpits will be used for some unknown and undefined but most formidable purpose, and that the day will return which was described by Hudibras—

> "When pulpit, drum ecclesiastic,
> Was beat with fist instead of a stick."

I do not know what infatuation—for such it appears to me—induces people in authority or out of authority to believe such things; but I would not undertake to be responsible for the amount of injury which may be inflicted upon the Church of England through these vain and idle imaginations. But it is hardly vainer to assert that upon every sound and rational view there is any ground for saying that the course which we are taking tends to weaken the Church of England. We are attempting to remove what we think a bad Establishment, and to remove a bad Establishment is not to weaken but to strengthen a good one. And now, Sir, will the Committee allow me to read a few words in which I think Lord Russell recently stated the conditions under which, according to the modes of modern thought and feeling, a religious Establishment may fairly, hopefully, and beneficially exist in a country? He says in his second letter to my right hon. Friend—

> "It is, in my opinion, a great benefit to a country when it can have its civil government and its prevailing religious opinions in alliance; the State ruling all orders of men in cases spiritual as well as temporal, according to certain articles of belief, and a State form of worship on which the pastors of the Church have come to an agreement with the governors of the State. Nor is it enough that the articles of belief and the form of worship adopted should be those of the sect which is a majority as compared with any other communion; they must be such as are not repugnant to the general sense of the community, such that the minority may be satisfied with their position and unwilling to break in upon the general harmony on account of the Church Establishment. Such has been in its outline the history of the Church of England."

I believe that to be the most discriminating and the most judicious delineation of the position the Church Establishment may usefully and beneficially occupy, either in relation to the present tradition of the Church of England or for a very long time to come. But, if I am to be charged with displaying hostility to the Church of England, let me just ask Gentlemen to consider for one moment how many men there are in this House who would venture, supposing there was no difficulty in doing it, to disestablish the Church of England? I presume, of course, if the Church of England were disestablished, that her members must be dealt with upon principles not less favourable than those which there seems to be a general disposition to apply to the Church of Ireland. I am bound to say that Mr. Miall, who has been referred to by the noble Lord (Viscount Galway), is disposed to go to such an extraordinary length in the tenderness and liberality of his dealings with the Church of England in the event of disestablishment—["Oh, oh!"]—well, but why so impatient? Have you read Mr. Miall? Has that Gentleman who interrupts read Mr. Miall? No, he has not; and yet—

VISCOUNT GALWAY: I know Mr. Miall well; I have heard him in this House, and I know that he is the enemy of all Establishments.

MR. GLADSTONE: The noble Lord has not read Mr. Miall's proposals; but if the noble Lord sets any value upon the information, the principle upon which Mr. Miall proposes to deal with the English Church Establishment are far more liberal than those which I have endeavoured to sketch in the proposal to deal with the the Irish Church Establishment. I will, in one moment, present the view I wish to bring before you. It is, upon any rational calculation, quite plain that the Church of England, if I am to go into regions so visionary to satisfy suspicion—[The CHANCELLOR of the EXCHEQUER: Oh, oh!] The Chancellor of the Exchequer may not consider them visionary. He may be prepared to deal with the question at once, and considering the rapidity with which his political evolutions have been executed on certain occasions, there is very little doubt that he would be prepared. But the effect of the disestablishment of the Established

Church, so far as I can estimate it, would be this — It would amount to saying to that Establishment, "You are to go forth free to do what you please; a perfectly organized religious body, with the value of about £80,000,000 or £90,000,000 in your pockets to start with in the world." I believe that would be very nearly the form which, *mutatis mutandis*, the plan for the disestablishment of the Church of England would assume. But I am not so ambitious, even disclaiming any other grounds, to think of such a plan. Much has been said with respect to the time at which this Motion has been introduced, and that was a point dwelt on by my hon. Friend the senior Member for the University of Oxford (Sir William Heathcote), who treated this subject with a candour, and a fairness and justice of mind which are as conspicuous in him as his sobriety and clearness of judgment. There are, in my opinion, three distinct grounds that marked out the period for dealing with the Church of Ireland, any one of which would have been sufficient to open the opportunity, and by opening the opportunity to constitute the obligation. My hon. Friend seemed to think that it was enough to condemn a proposal such as that now before the Committee, that you could say that it was admitted on the part of the promoters that the subject could not be finally settled and disposed of during the present year. Now, that is no objection whatever to a proposal, that it cannot be finally settled and disposed of during the present year, provided it be true that during the present year some real and effectual progress can be made—that something can be done which, if you do it, will give you a starting-point more advanced next year; whereas, if you do it not, you must begin twelve months hence at the point where you now stand. The state of opinion in this country, in my view, amply justifies the attempt which we are now making. My hon. and learned Friend the Member for Wigton Burghs (Mr. Young) was entirely misapprehended by some one who understood him to say that this was a measure brought forward to unite the Liberal party. Well, it may be all very well for Gentlemen who sit opposite to say that—that is the charge, and they may believe it or not, as they like. They may assume—or some among them may assume, for I am far from believing it to be the case universally—some of them, I say, may assume, and perhaps it is not unnatural that they should do so, that it is for party purposes that this great public question has been brought forward. But it is one thing for the noble Lord and men of his way of thinking to make that assumption with which, coming as it does from him I can find no fault; and it is another thing to say that admissions have been made by us. We take the liberty respectfully to disclaim having made these admissions. We claim to be guided by the public interests involved in the question. We have done nothing in this matter to make it difficult for the Government, as far as we are concerned, to continue in their offices; but undoubtedly I, for one, have proceeded upon the principle that the interests involved in the condition of Ireland are of such a character and such a magnitude as entirely to throw into the shade any question connected with the continuance in or dismissal from Office of any Government. I certainly will not be the hypocrite to contend that I view the existence of the present Government in many of its Departments with any special satisfaction. But I say that the state of opinion which exhibited itself in that union of the Liberal party, both within this House and through the country to the remotest corners of the three kingdoms, and in spite of the attempts that have been made to import religious bigotry and animosities, go to demonstrate that we have the hearts and minds of the people in our favour with regard to this great question. But it is not that alone; it is the conduct of the Government themselves. I do the Government the justice to say that they themselves opened the question of religious differences in Ireland. Who had asked them to do so? My hon. Friend the Member for Cork (Mr. Maguire) as an individual. But it was the Government themselves who declared that they had a policy for Ireland, and who, having in the sketching and drawing of that policy told us that it included the ecclesiastical element, put forward, with a strange maladroitness, that extraordinary scheme for a new Roman Catholic University to be charged upon the Exchequer of this country, and then went on to say that they had no objection to a religious equality accomplished through the medium of new endowments. The Government having brought forward this question themselves, are not in a position to find fault with us because we have said that we shall oppose that policy, which we think to be impracticable and mischievous, with a policy of our own, which we believe to be wise and beneficial. But I am bound to say that even if the Government had not done this, and had we been as much divided on this question as I believe we are united, I for one, speaking as an individual, could not look at the state of Ireland in connection with the general security of the Empire, and hesitate to say that I did not see in my own mind how, even independent of the hope of party combination or effectual action, we should have been justified in refraining from pressing our convictions with regard to the Irish Church upon the notice of Parliament. The question of the state of Ireland is one upon which it is difficult to enter or to dwell. How was it treated by the noble Lord the First Commissioner of Works (Lord John Manners)? It was the business of the noble Lord to draw a rosy picture, and a rosy picture he drew. He described the Fenian conspiracy as foul, hateful, abominable—so far I am not indisposed to agree with him; but the noble Lord added that it was contemptible, that its existence was now terminated, and that it was terminated by the overwhelming loyalty of the great mass of the people of Ireland. The latter part of that description was in flat contradiction to the official account given us by the noble Earl the Secretary for Ireland. The noble Earl described the feeling of the population of a part of Ireland, and their latent sympathy with Fenianism, in terms that no ingenuity can reconcile with the less-informed and more distorted statement of the First Commissioner of Works. We well know which of those statements is the true one. It suited the purpose of the debate, no doubt, to make out that the condition of Ireland was a satisfactory one. But what is the real state of the case? You have obtained in that country by the exercise of your gigantic power external peace and order, but it is only on the surface. Do you recollect the speech of Sir Robert Peel when he proposed the Maynooth Grant? Do you recollect the comparatively trifling character of the questions that then arose in the relations between Great Britain and America; and do you recollect that, notwithstanding the trifling character of those questions, he told you of the little cloud that was in the western skies, not bigger than a man's hand, but which might grow into gigantic dimensions, and from which the storm might burst? Sir, I am not going to enter into that subject. It is one on which words should be few; but they must find their way to willing minds and hearts. I can only say that, in my opinion, the present state of Ireland, where peace is secured only by the exercise of the overwhelming power of England, and where the Minister tells us—rightly and justly tells us—there exists in a large portion of the country a wide amount of sympathy with Fenianism, and a disposition to join in it on the first emerging hope that it may succeed, is not satisfactory. I am not willing to be responsible for the continuance of that state of things, or to run the risk of our being involved in those conflicts which, though remote, may be possible, till I use every effort in my power to clear the conscience of this country with regard to Ireland, so that, confident in right and justice, this nation may meet with hereditary valour and perseverance whatever exigencies may hereafter arise. Sir, it is time for us to abandon this doctrine of exclusive loyalty secured by exclusive privileges. As to what has been said by my right hon. Friend the Member for the University of Cambridge (Mr. Walpole) in the way of warning to us not to turn into enemies men who have been the nucleus of British feeling and attachment, I protest against the whole of that doctrine. I will recognize no distinction between one class of the population and another, except the distinction of obedience and disobedience to the law. I decline entirely to admit—I deny that you have a right—I mean a moral right—to draw a distinction between this and that religious persuasion; to cover one with privileges and to doom the other to exclusion, in order that the minority may be liable to the reproach of purchased loyalty, while the mass of the people may see themselves condemned to be held in less estimation. This is a policy of which we have had examples enough. My hon. and learned Friend the Member for Sheffield (Mr. Roebuck) knows enough of it. He knows it was the old orthodox practice of Downing Street long ago to govern the colonies through knots of men, each of which assumed to itself the glorious appellation of "British party." Some thirty years ago every colony had its British party, and that British party was always in a woeful minority; but whenever it was proposed to legislate in a broad and comprehensive way in the interest of a colony we were told, "Oh, you will ruin the British party." "You will exasperate the men who have been always loyal, and who have adhered to you in all your difficulties"—no doubt they did, for they were the chief instruments in creating them—"and you will fail to conciliate a set of fellows under the influence of demagogues who have always been in opposition to your Government, and who, do what you may, will always continue so." That was the experience of the colonies. Let us apply that experience to the case of Ireland. I always contended that those who call themselves the friends of the Protestants of Ireland do them a gross injustice. We have got this British party in Ireland, unhappily, for their misfortune and for ours. In the colonies we have now a British party. But the British party is not the little knot or clique of former days—it is the whole community. It is in the East, the West, the North, and in the South, and so it will be in Ireland if we do them justice. Apply to your laws, as well as to your administration, the principles of equity and equality, and our British party, instead of disappearing, will unfold and enlarge until it comprises within its borders every sane and intelligent and right-minded man in the country. With the state of Ireland which is now before me—by one stage, and by one stage only, removed from open civil dissension, I, for one—apart from every question with regard to the union of parties or with regard to political expediency as between the sections of this House—can never be responsible, and will not be responsible for its continuance. Our duty here is to strengthen the foundations of the Throne, to consolidate the institutions of the country, and to pursue those glorious ends by means that are not less pure,—namely, by striving to bring about a union of all hearts and minds among the subjects of Her Majesty. Upon that work we have entered, and in the prosecution of it I trust we shall not be arrested. But, Sir, although no attempt has been made in this House to arrest us in the prosecution of that work; yet, unless the ordinary channels of information be singularly insecure, there have been declarations made elsewhere which it is impossible to pass by. We have been told that "elsewhere" these propositions have been laid down—First, it has been said that the Resolutions now before the House of Commons call upon Her Majesty to decline the performance of duties imposed upon Her Majesty in her Executive capacity by Acts of Parliament. Well, that is by much the least important of these accusations, because it happens that there is not a syllable of foundation for it. The Resolutions now before the Committee have not the smallest reference to anything to be done by Her Majesty in her Executive capacity, except simply the concession we pray may be graciously made to us of permission to enter on the consideration of a certain legislative measure with respect to the Church of Ireland. That, therefore, I pass by as an assertion of small importance. The next announcement is that, if this House should think fit to take a certain course, it will produce an irreconcilable hostility between the two Houses of Parliament. Sir, in my opinion, that is neither a wise nor a decorous intimation to be made even by the youngest, even by the least experienced of all the Members of either House of Parliament; and that it should proceed from the quarter to which it is ascribed—that from that quarter is to proceed the gratuitous supposition that something is to be done here which is to produce this irreconcilable hostility—appears to me to betoken a woful aberration of judgment. But, Sir, this is not all—furthermore, a power is set up which is to direct the Government and to direct the Crown in the discharge of their duties; and the Ministers are told that if the House of Commons—not for actual offences that we have committed, but for offences it is supposed we may commit—if the House of Commons pass any Address to Her Majesty in conformity with the Resolutions before us, the duty of Ministers—as they are compassionately informed by this presiding genius—will be to advise Her Majesty to withhold her assent. And then, lastly, supposing that even that should not be found a measure completely successful—supposing any "factious" opposition to Government should appear—that is to say, supposing the majority of the representatives of the people should think it their duty to claim their privileges—the privileges and the powers which are inseparable from them, and which they have inherited from their forefathers as much as any Peers of Parliament have inherited theirs, then Her Majesty's Government are on no account to resign before the year 1869, because an immediate dissolution is impossible, or nearly impossible. Sir, detailed comment on these propositions is not necessary. But I think the right hon. Gentleman opposite knows enough of this House to be aware what effect they will produce upon its mind. One thing I must observe—the whole of these propositions, which I have cited in unexaggerated language, were delivered in the face and hearing of Ministers of the Crown, and by those Ministers of the Crown were either approved or unrebuked. Now, Sir, in these circumstances, though, as I have said, many words are not necessary, a few may be useful; and I, for one, speaking as a Member of Parliament, and not presuming to commit any other man, give fair notice that, in the discharge of those duties which the Constitution assigns to me as a representative of the people, I will not on any conditions consent to receive from "another place" the word of command. Sir, I earnestly hope that the Resolution before the Committee will be accepted by a large and decisive majority. We are engaged in a great and solemn work. We are about to confer, as we, at least, on this side of the House, hope, a great boon on the people of Ireland—yet a boon strictly their due, because strictly confined within the limits of equity and justice. It is a mistake to suppose, Sir, that we ever stated or thought that the settlement of the Church question in Ireland was to be a panacea for the evils of that country. The word has been charged on us, though I know not that it has ever been used by any one among us. We are well aware that the evils of Ireland are inveterate evils. Even in the case of a battle or a conflagration the mischief which a moment may do it may take months or years to repair. But here for centuries perverse ingenuity has been at work to deprave and disturb the social condition and political state of Ireland; and long must be the time, even after the application of the requisite remedies—and in the list of those remedies I admit progress has been made —long, I say, must be the time before the full and happy result which is desired can be obtained. But upon that work we have entered, and in it I trust and believe we shall persevere, asserting that the measure we now contemplate, and the acceptance of which we urge on Parliament, though it may not be the whole of the policy, yet is a vital and essential member of the policy which is needed in order to bring Ireland into the condition of being a great part of the strength and a great part of the glory of this Empire, instead of being, as hitherto, in respects neither few nor small, our danger and our reproach.

Mr. DISRAELI: Sir, the right hon. Gentleman, I think, was somewhat unreasonable in expecting that I should have risen to address the Committee, because I am in the recollection of the House that at the time he was preceded by two distinguished Members, and both of whom had spoken at great length—one being no less than the right hon. Gentleman the Member for the University of Cambridge (Mr. Walpole), and both speaking in support of that view of the question which I now rise to support. Nevertheless, in the then state of the debate I was prepared to go to a division, and therefore I do not think that I am at all open to the charge of the right hon. Gentleman. But I have no wish whatever to pursue that point further on this occasion. I rise now only to make a few observations, although there are some remarks made by previous speakers which I cannot altogether pass without notice. And I wish the House to be able to put a clear interpretation upon what we are now going to do. I shall confine my observations to that which is before us—the first Resolution. The right hon. Gentleman in the early part of his speech entered at some length into the consideration of the second and third Resolutions. No doubt that was a very interesting subject. I shall, however, only remark that the intepretation the right hon Gentleman put upon them was of a more satisfactory kind, so far as I recollect, than hitherto has been accepted by the House, or was prevalent in the country. If, indeed, as the right hon. Gentleman says, all that he desires is that Her Majesty's Ministers should advise Her Majesty to commit to the consideration of this House a measure in which her Prerogative is interested, that was a proposition which I cannot reconcile with the description which the right hon. Gentleman gave us of his Resolutions when he first introduced them —namely, that the object was, to use his own words, "to prevent the creation of any further vested interests." But, Sir, at this late hour of the night, it is unnecessary for me to dwell further upon that important topic. I should not have touched upon it had not the right hon. Gentleman introduced it in his speech this evening. But I think, before we are called upon to discuss the second and third Resolutions, it would be well if he were to confer with his habitual advisers, and endeavour to arrive at some conclusion more consistent with the declaration made this evening. We object, Sir, to this Motion of the right hon. Gentleman on several grounds. I will only mention the most important, and I will endeavour to express myself in the most condensed form. In the first place, we object to the disestablishment of the Church in Ireland because we think it will be most injurious to Ireland. We believe that such a measure will revive and exasperate all those religious animosities which the wiser legislation of the last thirty years attempted to subdue. The right hon. Gentleman says — and several Members who have spoken have made the same observation—that we have said nothing in defence of the Church of Ireland; but what we complain of is, that you who come forward and propose its destruction really urge nothing against it. [*Laughter.*] I repeat that observation. I listened this evening to the speech of the hon. Member for Hertford (Mr. Cowper). I do not quote it as remarkably original, but as a representative speech. It represented all the objections made to the Church of Ireland; and what were they? They all concluded with this charge—that the existence of the Church in Ireland is an injustice to the Irish people. That is the charge. Well, I say that is a charge which it is, of course, very difficult to meet; because we naturally, in practical politics, do not think that we advance towards the truth, or towards a solution of difficulties, or towards the establishment of a policy superior to the one which we may have pursued, by dealing only with abstract qualities, with justice or injustice. At the beginning of this century an eminent philosopher wrote a well-known book on the *Principles of Political Justice;* and Mr. Windham said of that book that when he read it there was not a page to which his heart did not respond; but when he concluded it he came to this conclusion—"That if it were applied to the condition of England it would produce universal confusion and endless anarchy." So when we are called upon to destroy a great institution in Ireland on the plea that its existence is an injustice to the Irish people—try that plea. Is it an injustice to the whole of the Irish people? Everyone admits that a considerable portion of the Irish people are either in absolute union with this Church, or view it with extreme sympathy. If that is the case, its existence cannot be a complete injustice to the whole of the Irish people; it can only be a case of partial injustice. Well, if it is only a case of partial injustice, everyone must admit that such a question is not susceptible of so easy a solution as the total destruction of an institution on the plea of its absolute injustice to the Irish people. This is the first consideration. The existence of the Irish Church not being an injustice to the whole of the Irish people, its destruction would be an act of injustice to a portion of the people. It would also be an act of injustice to a great portion of Her Majesty's subjects who may not live in Ireland, but who entirely sympathize with the religious principles of that institution. It may be an act of injustice to another and a larger portion of Her Majesty's subjects, who believe in the necessity of preserving the connection between Church and State, and the supremacy of the Sovereign. These are considerations at which, at this late hour in the morning, I only glance, to show how absurd it is to argue a subject of this difficulty and importance upon the broad abstract assertions which hon. Gentlemen opposite have made the material of the debate. Therefore, in the first place, we do oppose this sweeping Resolution of the right hon. Gentleman, because we believe it would be a very great injury to Ireland, and that the plea upon which it is recommended is one which will not bear analysis.

We object to the sweeping Resolution of the right hon. Gentleman on another principal ground — namely, that it will very much shake the security of property. I will now instance a case which has not been put before—and it is something to make an observation which has not been made during so prolonged a debate. So far as I can collect from the speeches of the hon. Gentlemen who have advocated this act of confiscation—because an act of confiscation it is now admitted to be, whatever may be the motive—it is recommended on this ground, that the Church of Ireland has not fulfilled the purposes for which it was instituted. [*Opposition Cheers.*] I am glad we are agreed on that. But if that be the principle upon which you are founding your new system of confiscation, how can you stop at the Church in Ireand? Are there no other institutions—and very rich institutions too—that do not fulfil the purposes for which they were instituted? Look to the great companies in the City of London. Look to the Fishmongers' Company, or to the Drapers' Company, or to the Company of Merchant Taylors. They have large estates; but the Company of Fishmongers does not fulfil the purposes for which it was instituted. They no longer take care to provide us with fresh fish. The Drapers sell no cloth; and I have often dined with the Merchant Taylors, and I have never, I believe, met my tailor. Yet these are societies in possession of vast estates and in Ireland; and they are societies which have been instituted for particular purposes—that we might have excellent cloth and fish, and that our clothes should be cut in the proper fashion. They do not fulfil any of those purposes; and I want to know, therefore, if you confiscate the property of the Irish Church, on the ground that it does not fulfil the purposes for which it was instituted, on what ground can you oppose the attempt to confiscate the estates of those great guilds and companies? Therefore, we believe that if this Resolution be carried it will aggravate the animosities of the Irish people, and injure Ireland. We regard it as a retrograde act and a retrograde policy. And we believe, too, that if this Resolution be carried you will shake the principle of property throughout the kingdom. We oppose the Resolution, in the third place—omitting many reasons of importance, but of a secondary character—because we believe that the necessary consequence, if this policy be carried into effect in Ireland, will be to make the connection between Church and State in England impossible. Now, Sir, the right hon. Gentleman admits that Mr. Miall, who has been so often quoted in this debate, is an eminent man, and he fairly represents the Liberation Society. Well, Mr. Miall does not for a moment disguise his views on this subject, and it would be impossible for him to do so, because I have here in my hand an extract from the last number of *The Nonconformist*, and I will briefly refer to Mr. Miall's language, who, I have no doubt, conscientiously holds the opinions he expresses, and desires to propagate them. I wish to show what is the view of the party Mr. Miall represents. He says—

> "The Irish Church question will not be finally disposed of before the public mind will be prepared to entertain proposals in reference to the Scotch Kirk and the Church of England. As it has been with one Establishment, so, probably, will it be with others; their time is fixed. An impulse will be given unexpectedly, and from an unexpected quarter. Mr. Gladstone is treading on the verge of a wide region of change."

I am not introducing these remarks for the sake of controversy, nor because I wish to thrust Mr. Miall's name into the debate; but his name having been quoted every night during this discussion, I refer to his remarks as a commentary on the statement of the right hon. Gentleman, that no man sitting in this House can think for a moment of proposing the separation of Church and State in England. I wish to show what the authority you have been referring to thinks in reference to the present proposal. The right hon. Gentleman says that "Mr. Miall's views are of the mildest character. He would rather enrich than plunder the Church. He is prepared to let them keep £80,000,000 of their property." Now, in my view of the necessity and advantage of the connection between Church and State, I am not reconciled to the change by the information of the right hon. Gentleman that the Church, dissociated from the State, is to be a very rich Church. In the first place, I cannot bring myself to believe that the people of this country would ever consent to the severance of that tie, and at the same time agree that the Church of England should retain the property which it now possesses. It would be an *imperium in imperio*, which to my mind would render the Government of this country almost certainly difficult, perhaps impossible. Therefore, I think we must dismiss from our minds the notion that any such arrangement could ever be tolerated by a British Parliament. But we may have a very powerful and very disturbing element in our society by means of an Established Church, even without the £80,000,000 which Mr. Miall and the right hon. Gentleman opposite are quite ready to concede to the Church free from its connection with the State. That is exactly the point to which, had the time been more opportune, I should have called the serious consideration of the Committee. Hon. Gentlemen have spoken as if a free Church in a free State were a very progressive act; but it should be remembered that the Church has been free before this; and hitherto those who have preceded us in this country have thought that our civilization was advanced and secured rather by preventing the Church from enjoying that absolute and unrestricted freedom which we are now told will be the source of so many blessings. It was because we wanted something which should save us from what my right hon. Friend (Mr. Walpole) called "fanatical enthusiasm and sacerdotal tyranny," that the wise men who built up the Realm of England devised the doctrine of the Royal supremacy, which is, in fact, giving the control of ecclesiastical affairs to laymen, and which is, at present, the only security for our religious liberty, and a great security for our civil rights. This is a point which has scarcely been touched upon in this debate, but it is one, I believe, gravely affecting the interests of the people of this country. Now, the right hon. Gentleman has appealed with great confidence to what he describes as the sympathy of public opinion with the policy which he recommends. Sir, he is a very bold man who can, off-hand, or without very laborious pains, decide what is really, on a subject of this grave import, the public opinion of a country like England. It is not to be ascertained in a moment, because it is not formed in a moment. What public opinion is to most individuals is the opinion of the circle in which they move; and we in this political life of ours, who have the advantage of living in at least a considerable circle, have some means, no doubt, of ascertaining what general opinion may be. But we are also apt to be wonderfully warped in our conclusions by the particular sphere of observations in which we habitually exist. But I differ, with diffidence, from the right hon. Gentleman in his estimate of the general feeling of the country on this question. No doubt, if you take rattling articles in newspapers and the conceited conclusions of coteries as public opinion, all is very easy for a public man, whether he be a Minister or a Leader of the Opposition. But when questions of fundamental interest in the Constitution of this country arise, it is not in our power to ascertain what the opinion of a nation like England is in such haste and by such superficial means. I believe that the supremacy of the Sovereign is a doctrine deeply fixed in the convictions and in the conscience of England. The more this subject is agitated the more that principle will come to the surface; and it is upon conclusions like that, and not upon some alleged abuses, local abuses of an institution, that grave questions of this magnitude must be finally decided. Sir, I would willingly have sat down this moment only that would be discourteous to an hon. and learned Gentleman who spoke early in this night's debate, and spoke too at some length. I refer to the hon. Baronet the Member for Clare (Sir Colman O'Loghlen), who, in an agreeable and clever speech, which I may describe as an amiable invective against myself, offered some very severe but courteous comments on my life and career, and made some observations which I ought perhaps to answer. But there was one which I am particularly desirous of noticing, because it was founded on what I think he will find that I am correct in characterizing as a misconception on his part and on that of his friends. The hon. and learned Gentleman seemed to be offended because I described some hon. Gentlemen in this House as "Romanists." [Sir Colman O'Loghlen: Hear, hear!] And an hon. Gentleman who spoke last night (Mr. Rearden) said that I had given him a nickname because I had called him a "Romanist." I certainly had no intention in using that word, to say anything that should be in the least degree offensive; and I rather think that the hon. Baronet, who has literary acquirements and powers of literary research, will find that he is under a mistake. I myself have read most of the great writers *in magno certamine utriusque Ecclesiœ*, and I believe I remember the time when the word "Romanist" was first introduced. It was introduced as a phrase of conciliation, because there is another word which is connected with odious associations, and has been for a long time, with the people of this country, which might describe his creed. When the word "Anglican" was introduced early in this debate, adopted for the first time, and repeated every night in the nature of a correlative expression, it naturally occurred to me—as I did not choose to avail myself of a word of which I confess I should not be ashamed were I of that religion—to use the correlative word "Romanist." Therefore I can assure the hon. Baronet that no offence was meant. I will not refer at any length to the observations he has made upon a statement with which I closed my remarks before Easter. I made those remarks advisedly. It is my belief that there is in the English Church a party of extreme opinions, who advocate the disunion of Church and State. I was informed by an authority upon which I place implicit credit, that some leading members of that party had been in habitual communication and combination—I never used the word conspiracy, but I will not fight about words—with those I described as Romanists, and for the rest of the statement, that they were in open confederacy, I leave the House to judge of it for itself from the late division; and when the right hon. Gentleman comes forward with a new policy, proposing, rightly or wrongly, a revolution in the country, the dissevering of the Church from the State, and boasts of the majority with which he can carry it into effect, the House must judge whether, under the circumstances, it was unfair for me to say he represented the combination which I described.

SIR FREDERICK HEYGATE said, to save the time of the Committee he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Main Question put.

The Committee *divided:*—Ayes 330; Noes 265: Majority 65.

AYES.

Acland, T. D.
Adair, H. E.
Agar-Ellis, hn. L. G. F.
Agnew, Sir A.
Akroyd, E.
Allen, W. S.
Amberley, Viscount
Andover, Viscount
Anson, hon. Major
Anstruther, Sir R.
Armstrong, R.
Ayrton, A. S.
Aytoun, R. S.
Bagwell, J.
Baines, E.
Barclay, A. C.
Barnes, T.
Barron, Sir H. W.
Barry, A. H. S.
Barry, C. R.
Bass, A.
Bass, M. T.
Baxter, W. E.
Bazley, T.
Beaumont, H. F.
Beaumont, W. B.
Berkeley, hon. H. F.
Biddulph, M.
Bingham, Lord
Blake, J. A.
Blennerhassett, Sir R.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Bowyer, Sir G.
Brady, J.
Brand, rt. hon. H.
Bright, Sir C. T.
Bright, J. (Birmingham)
Bright, J. (Manchester)
Browne, Lord J. T.
Bruce, Lord C.
Bruce, rt. hon. H. A.
Bryan, G. L.
Buller, Sir A. W.
Buller, Sir E. M.
Burke, Viscount
Butler, C. S.
Butler-Johnstone, H. A.
Buxton, C.
Buxton, Sir T. F.
Calcraft, J. H. M.
Calthorpe, hn. F. H. W. G.
Candlish, J.
Cardwell, rt. hon. E.
Carington, hn. W. H. P.
Carnegie, hon. C.
Carter, S.
Castlerosse, Viscount
Cave, T.
Cavendish, Lord E.
Cavendish, Lord F. C.
Cavendish, Lord G.
Chambers, M.
Chambers, T.
Cheetham, J.
Childers, H. C. E.
Clay, J.
Clement, W. J.
Clinton, Lord A. P.
Clinton, Lord E. P.
Clive, G.
Cogan, rt. hon. W. H. F.
Colebrooke, Sir T. E.
Coleridge, J. D.
Collier, Sir R. P.
Colvile, C. R.
Corbally, M. E.
Cowen, J.
Cowper, hon. H. F.
Cowper, rt. hon. W. F.
Craufurd, E. H. J.
Crawford, R. W.
Crossley, Sir F.
Dalglish, R.
Davey, R.
Davie, Sir H. R. F.
De La Poer, E.
Denman, hon. G.
Dent, J. D.
Dering, Sir E. C.
Devereux, R. J.
Dilke, Sir W.
Dillwyn, L. L.
Dixon, G.
Doulton, F.
Duff, M. E. G.
Duff, R. W.
Dundas, F.
Dunlop, A. C. S. M.
Earle, R. A.
Edwards, C.
Edwards, H.
Eliot, Lord
Enfield, Viscount
Erskine, Vice. Ad. J. E.
Esmonde, J.
Evans, T. W.
Ewart, W.
Ewing, H. E. Crum-
Eykyn, R.
Fawcett, H.
Fildes, J.
FitzGerald, rt. hn. Lord O. A.
FitzPatrick, rt. hn. J. W.
Foley, H. W.
Foljambe, F. J. S.
Fordyce, W. D.
Forster, C.
Forster, W. E.
Fortescue, rt. hn. C. S.
Fortescue, hon. D. F.
Foster, W. O.
French, rt. hon. Colonel
Gaselee, Serjeant S.
Gavin, Major
Gibson, rt. hon. T. M.
Gilpin, C.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Glyn, G. C.
Goldsmid, Sir F. H.
Goldsmid, J.
Goschen, rt. hon. G. J.
Gower, hon. F. L.
Gower, Lord R.
Graham, W.
Gray, Sir J.
Gregory, W. H.
Grenfell, H. R.
Greville-Nugent, A. W. F.
Greville-Nugent, Col.
Grey, rt. hon. Sir G.
Grosvenor, Earl
Grosvenor, Lord R.
Grosvenor, Capt. R. W.
Grove, T. F.
Gurney, S.
Hadfield, G.
Hamilton, E. W. T.
Hankey, T.
Hanmer, Sir J.
Hardcastle, J. A.
Harris, J. D.
Hartington, Marq. of
Hay, Lord J.
Hay, Lord W. M.
Hayter, A. D.
Headlam, rt. hon. T. E.
Henderson, J.
Heneage, E.
Henley, Lord
Herbert, H. A.
Hibbert, J. T.
Hodgkinson, G.
Hodgson, K. D.
Holden, I.
Holland, E.
Horsman, rt. hon. E.
Howard, hon. C. W. G.
Howard, Lord E.
Hughes, T.
Hurst, R. H.
Hutt, rt. hon. Sir W.
Ingham, R.
Jackson, W.
Jardine, R.
Jervoise, Sir J. C.
Johnstone, Sir J.
Kearsley, Captain R.
Kennedy, T.
King, hon. P. J. L.
Kinglake, A. W.
Kinglake, J. A.
Kingscote, Colonel
Kinnaird, hon. A. F.
Labouchere, H.
Laing, S.
Lamont, J.
Lawrence, W.
Lawson, rt. hon. J. A.
Layard, A. H.
Leader, N. P.
Leatham, E. A.
Leatham, W. H.
Lee, W.
Leeman, G.
Lefevre, G. J. S.
Lewis, H.
Locke, J.
Lorne, Marquess of
Lowe, rt. hon. R.
Lusk, A.
Maguire, J. F.
M'Kenna, Sir J. N.
M'Lagan, P.
M'Laren, D.
Marjoribanks, Sir D. C.
Marshall, W.
Martin, C. W.
Matheson, A.
Melly, G.
Merry, J.
Milbank, F. A.
Mill, J. S.
Miller, W.
Mills, J. R.
Milton, Viscount
Mitchell, A.
Mitchell, T. A.
Moffatt, G.
Moncreiff, rt. hon. J.
Monk, C. J.
Monsell, rt. hon. W.
Moore, C.
More, R. J.
Morris, G.
Morris, W.
Morrison, W.
Murphy, N. D.
Neate, C.
Nicol, J. D.
Norwood, C. M.
O'Beirne, J. L.
O'Brien, Sir P.
O'Donoghue, The
Ogilvy, Sir J.
O'Loghlen, Sir C. M.
Onslow, G.
O'Reilly, M. W.
Osborne, R. B.
Otway, A. J.
Owen, Sir H. O.
Padmore, R.
Paget, T. T.
Pease, J. W.
Peel, A. W.
Peel, J.
Pelham, Lord
Philips, R. N.
Platt J.

Pollard-Urquhart, W.
Portman, hon. W. H. B.
Potter, E.
Potter, T. B.
Power, Sir J.
Price, R. G.
Price, W. P.
Pritchard, J.
Proby, Lord
Rawlinson, Sir H.
Rearden, D. J.
Rebow, J. G.
Robartes, T. J. A.
Robertson, D.
Roebuck, J. A.
Rothschild, Baron L. de
Rothschild, Baron M. de
Rothschild, N. M. de
Russell, A.
Russell, F. W.
Russell, H.
Russell, Sir W.
St. Aubyn, J.
Salomons, Mr. Ald.
Samuda, J. D'A.
Samuelson, B.
Scott, Sir W.
Seely, C.
Seymour, A.
Shafto, R. D.
Sheridan, H. B.
Sheridan, R. B.
Sherriff, A. C.
Simeon, Sir J.
Smith, J.
Smith, J. A.
Smith, J. B.
Speirs, A. A.
Stacpoole, W.
Stanley, hon. W. O.
Stansfeld, J.
Stock, O.
Stone, W. H.
Stuart, Col. Crichton-
Sullivan, E.
Sykes, Colonel W. H.
Synan, E. J.
Talbot, C. R. M.
Taylor, P. A.
Thompson, M. W.
Tite, W.
Tomline, G.
Torrens, W. T. M'C.
Tracy, hon. C. R. D. Hanbury-
Trevelyan, G. O.
Vandeleur, Colonel
Vanderbyl, P.
Verney, Sir H.
Vernon, H. F.
Villiers, rt. hon. C. P.
Vivian, H. H.
Vivian, Capt. hn. J. C. W.
Waldegrave-Leslie, hon. G.
Waring, C.
Warner, E.
Watkin, E. W.
Weguelin, T. M.
Western, Sir T. B.
Whalley, G. H.
Whatman, J.
Whitbread, S.
White, hon. Capt. C.
White, J.
Whitworth, B.
Williamson, Sir H.
Winterbotham, H. S. P.
Woods, H.
Wyvill, M.
Young, G.
Young, R.

TELLERS.

Glynn, G.
Adam, W. P.

NOES.

Adderley, rt. hon. C. B.
Annesley, hon. Col. H.
Antrobus, E.
Archdall, Captain M.
Arkwright, R.
Baggallay, R.
Bagge, Sir W.
Bagnall, C.
Bailey, C.
Bailey, Sir J. R.
Baring, H. B.
Baring, T.
Barnett, H.
Barrington, Viscount
Barrow, W. H.
Bateson, Sir T.
Bathurst, A. A.
Beach, Sir M. H.
Beach, W. W. B.
Beecroft, G. S.
Bentinck, G. C.
Benyon, R.
Beresford, Capt. D. W. Pack-
Bernard, hon. Col. H. B.
Booth, Sir R. G.
Bourne, Colonel
Brett, Sir W. B.
Brooks, R.
Bruce, Major C.
Bruce, Sir H. H.
Bruen, H.
Buckley, E.
Burrell, Sir P.
Capper, C.
Cartwright, Colonel
Cave, rt. hon. S.
Cecil, Lord E. H. B. G.
Clive, Lt.-Col. hn. G. W.
Cobbold, J. C.
Cochrane, A. D. R. W. B.
Cole, hon. H.
Cole, hon. J. L.
Connolly, T.
Cooper, E. H.
Corrance, F. S.
Corry, rt. hon. H. L.
Courtenay, Viscount
Cox, W. T.
Cremorne, Lord
Cubitt, G.
Dalkeith, Earl of
Davenport, W. B.
Dawson, R. P.
Dick, F.
Dimsdale, R.
Disraeli, rt. hon. B.
Dowdeswell, W. E.
Du Cane, C.
Duncombe, hon. Adml.
Duncombe, hon. Colonel
Dutton, hon. R. H.
Dyke, W. H.
Dyott, Colonel R.
Eaton, H. W.
Eckersley, N.
Edwards, Sir H.
Egerton, hon. A. F.
Egerton, E. C.
Egerton, Sir P. G.
Egerton, hon. W.
Elcho, Lord
Fane, Lt.-Col. H. H.
Fane, Colonel J. W.
Feilden, J.
Fellowes, E.
Fergusson, Sir J.
Finch, G. H.
Floyer, J.
Forde, Colonel
Forester, rt. hon. Gen.
Freshfield, C. K.
Gallwey, Sir W. P.
Galway, Viscount
Garth, R.
Getty, S. G.
Gilpin, Colonel
Goddard, A. L.
Goldney, G.
Gooch, Sir D.
Goodson, J.
Gordon, rt. hon. E. S.
Gore, J. R. O.
Gore, W. R. O.
Gorst, J. E.
Grant, A.
Graves, S. R.
Gray, Lieut.-Colonel
Greenall, G.
Greene, E.
Grey, hon. T. de
Griffith, C. D.
Guinness, Sir B. L.
Gurney, rt. hon. R.
Gwyn, H.
Hamilton, Lord C.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, Viscount
Hardy, rt. hon. G.
Hardy, J.
Hartley, J.
Hartopp, E. B.
Harvey, R. B.
Harvey, R. J. H.
Hay, Sir J. C. D.
Heathcote, Sir W.
Henley, rt. hon. J. W.
Henniker-Major, hon. J. M.
Herbert, rt. hn. Gen. P.
Hervey, Lord A. H. C.
Hesketh, Sir T. G.
Heygate, Sir F. W.
Hildyard, T. B. T.
Hodgson, W. N.
Hogg, Lt.-Colonel J. M.
Holford, R. S.
Holmesdale, Viscount
Hood, Sir A. A.
Hope, A. J. B. B.
Hornby, W. H.
Horsfall, T. B.
Hotham, Lord
Howes, E.
Hubbard, J. G.
Huddleston, J. W.
Hunt. rt. hon. G. W.
Innes, A. C.
Jervis, Major
Jolliffe, hon. H. H.
Karslake, E. K.
Karslake, Sir J. B.
Kavanagh, A.
Kekewich, S. T.
Kelk, J.
Kendall, N.
Kennard, R. W.
Keown, W.
King, J. K.
Knight, F. W.
Knightley, Sir R.
Knox, Colonel
Knox, hon. Colonel S.
Lacon, Sir E.
Laird, J.
Langton, W. G.
Lanyon, Sir C.
Lascelles, hn. E. W.
Lechmere, Sir E. A. H.
Lefroy, A.
Legh, Major C.
Lennox, Lord G. G.
Lennox, Lord H. G.
Leslie, C. P.
Liddell, hon. H. G.
Lindsay, hon. Col. C.
Lindsay, Col. R. L.
Long, R. P.
Lopes, H. C.
Lopes, Sir M.
Lowther, W.
Lowther, J.
Mahon, Viscount
Mainwaring, T.
Malcolm, J. W.
Manners, Lord G. J.
Manners, rt. hn. Lord J.
Mayo, Earl of
Meller, Colonel
Miles, J. W.
Mitford, W. T.
Montagu, rt. hn. Lord R.
Montgomery, Sir G.
Mordaunt, Sir C.
Morgan, hon. Major
Morgan, O.
Mowbray, rt. hn. J. R.
Neeld, Sir J.
Neville-Grenville, R.
Newdegate, C. N.
Newport, Viscount
North, Colonel
Northcote, rt. hn. Sir S. H.
O'Neill, hon. E.
Paget, R. H.
Pakington, rt. hn. Sir J.
Palk, Sir L.
Parker, Major W.

Patten, rt. hon. Col. W.
Paull, H.
Peel, rt. hon. General
Pennant, hon. G. D.
Percy, Mjr.-Gn. Lord H.
Powell, F. S.
Read, C. S.
Repton, G. W. J.
Robertson, P. F.
Royston, Viscount
Russell, Sir C.
Saunderson, E.
Schreiber, C.
Sclater-Booth, G.
Scourfield, J. H.
Selwin-Ibbetson, H. J.
Severne, J. E.
Seymour, G. H.
Simonds, W. B.
Smith, A.
Smith, S. G.
Smollett, P. B.
Somerset, Colonel
Somerset, E. A.
Stanhope, J. B.
Stanley, Lord
Stanley, hon. F
Stirling-Maxwell, Sir W.
Stopford, S. G.
Stronge, Sir J. M.
Stuart, Lieut.-Col. W.
Stucley, Sir G. S.
Sturt, H. G.
Sturt, Lieut.-Col. N.
Surtees, C. F.
Surtees, H. E.
Sykes, C.
Thompson, A. G.
Thorold, Sir J. H.
Tollemache, J.
Torrens, R.
Treeby, J. W.
Trevor, Lord A. E. Hill-
Turner, C.
Turnor, E.
Vance, J.
Verner, E. W.
Verner, Sir W.
Walcott, Admiral
Walker, Major G. G.
Walpole, rt. hon. S. H.
Walrond, J. W.
Walsh, hon. A.
Warren, rt. hon. R. R.
Waterhouse, S.
Welby, W. E.
Whitmore, H.
Williams, Colonel
Williams, F. M.
Wise, H. C.
Woodd, B. T.
Wyld, J.
Wyndham, hon. H.
Wyndham, hon. P.
Wynn, Sir W. W.
Wynn, C. W. W.
Wynne, W. R. M.
Yorke, J. R.

TELLERS.
Taylor, Colonel
Noel, hon. G. J.

Mr. DISRAELI: Sir, the vote at which the Committee has now arrived has altered the relations between Her Majesty's Government and the present House of Commons; it is, therefore, necessary for us to consider our position. I propose, with the permission of the House, to move that the House, at its rising, adjourn until Monday next.

Mr. GLADSTONE: I naturally, in common with other Members of the House, regret very sincerely any obstruction or interference with the general course of business; but I cannot possibly object to the Motion made by the responsible Ministers of the Crown under the circumstances of the case.

Mr. DISRAELI then moved that the Chairman report Progress.

House *resumed.*

Committee report Progress; to sit again upon *Monday* next.

## PARLIAMENT—BUSINESS OF THE HOUSE.

Mr. GLADSTONE said, that some half-hour since, the Prime Minister announced that the vote of the House had altered the relations between the Executive Government and the present House of Commons, placing an emphasis on "the present House of Commons," and proposed the adjournment of the House until Monday. The appeal for adjournment he could not resist; but to his perfect astonishment he had received a message from the Chancellor of the Exchequer to the effect that, although the business of the country was to be suspended until Monday, the Committee on the Irish Church would not stand as the first Order for that Day, but that it was intended to proceed with the Committee on Ways and Means. He (Mr. Gladstone) gave notice, therefore, that he should move on Monday next that the Standing Order which regulated the order of proceeding on Monday should be suspended, and that the Order of the Day for the Committee upon the Established Church of Ireland should take its place. He would, however, ask the right hon. Gentleman, whether it was his intention to allow the discussion upon the Irish Church to take precedence of the other business on Monday?

The CHANCELLOR of the EXCHEQUER said, that Ways and Means had been placed on the Paper in the ordinary way. The House could on Monday decide as to the course of business. He moved the adjournment of the House till Monday.

Mr. CARDWELL said, that, when the arrangement for Committee on Ways and Means, as the first Order on Monday, was made, it was understood that the Resolutions of the right hon. Gentleman the Member for South Lancashire would be considered that evening.

Mr. GLADSTONE asked the Chancellor of the Exchequer, whether he would now assent to the consideration of the Resolutions in Committee being the first Order of the Day?

The CHANCELLOR of the EXCHEQUER observed that when the House met on Monday, it would be competent for the right hon. Gentleman to propose the arrangement he desired.

Mr. AYRTON asked how the Government statement could come off on Monday unless the "Irish Church" was put down as the first Order? If it was not so placed there would be a breach of faith on the part of the Government.

Sir GEORGE BOWYER thought that any settlement of the course of business was immaterial when a statement was to be made by the Premier on Monday.

SIR JOHN PAKINGTON said, the right hon. Gentleman the Member for South Lancashire had exhibited unnecessary excitement. There had been no engagement, and the request made of the House by his right hon. Friend the First Lord of the Treasury was a very natural one under the circumstances.

MR. CHILDERS said, he was of opinion that the "Irish Church" should be placed as the first Order for Monday.

SIR STAFFORD NORTHCOTE suggested that the House were only losing time. It would be easy on Monday after the statement of his right hon. Friend to settle the course of business.

MR. WHITBREAD said, he had not expected to find the Government acting in the manner they were doing.

LORD JOHN MANNERS denied that the Government had done anything wrong in the matter.

VISCOUNT GALWAY said, that the last man who ought to complain of the time of the House being wasted was the right hon. Gentleman the Member for South Lancashire.

Motion *agreed to.*

House, at rising, to adjourn till *Monday* next.

### SEA FISHERIES (IRELAND) BILL.

On Motion of Mr. BLAKE, Bill to amend the Laws relative to the Coast and Deep Sea Fisheries of Ireland, *ordered* to be brought in by Mr. BLAKE, Colonel ANNESLEY, Lord CLAUDE JOHN HAMILTON, and Mr. KAVANAGH.

Bill *presented*, and read the first time. [Bill 101.]

### VAGRANT ACT AMENDMENT BILL.

On Motion of Mr. PEASE, Bill to amend the Act for punishing idle and disorderly Persons and Rogues and Vagabonds so far as relates to the use of Instruments of Gaming, *ordered* to be brought in by Mr. PEASE, Mr. AKROYD, and Mr. LIDDELL.

Bill *presented*, and read the first time. [Bill 102.]

House adjourned at Three o'clock till Monday next.

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## HOUSE OF LORDS,

*Friday, May* 1, 1868.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Marriages (Frampton Mansel) * (85).
*Committee*—Petty Sessions and Lock-up Houses * (71).
*Report*—Petty Sessions and Lock-up Houses * (71).
*Third Reading*—Oyster and Mussel Fisheries * (58), and *passed.*

## BUSINESS OF THE HOUSE—VICTORIA—THE APPROPRIATION ACT.

### POSTPONEMENT OF MOTION.

THE EARL OF MALMESBURY said, he had to appeal to the noble Lord opposite (Lord Lyveden) who had given notice—

> "To call the Attention of the House to the Correspondence respecting and arising from the Non-enactment of the Appropriation Act in Victoria and the Recall of the Governor of the Colony,"

to postpone his Motion until some day next week, in consequence of what had taken place last evening in the other House of Parliament.

LORD LYVEDEN said, that although the Motion he intended to submit was not of a party character, he should not hesitate to comply with the noble Earl's request. He should therefore postpone it till Friday next. But at the same time he must express a hope that the noble Duke the Secretary of State for the Colonies would not take any action relating to the subject before the discussion.

THE DUKE OF BUCKINGHAM said, he did not think that it would be right for him to give any engagement in reference to the course which he might think fit to take should any circumstances arise which, in his opinion, called for the action of the Secretary of State; but he could assure the noble Lord that it was not likely that anything could arise before the discussion which would affect the question in one way or the other. The last mail brought nothing which called for an answer, and he was not aware that it was likely that there would be any communication from the Government to the Colony before the time when this discussion was arranged to come on. With regard to the question itself, he would say that he believed there was not, nor ever had been any difference of opinion between the Government and the noble Lord with regard to the impropriety of such a grant as that which had been proposed; nor did he believe that there would be any difference of opinion in their Lordships' House. No doubt there might be difference of opinion as to the course which should be pursued; and upon that matter it was quite right that there should be discussion.

## HIS ROYAL HIGHNESS THE DUKE OF EDINBURGH.—THE QUEEN'S ANSWER TO THE ADDRESS.

THE LORD STEWARD OF THE HOUSEHOLD (The Earl of TANKERVILLE) *reported* Her Majesty's most gracious Answer to the Address of Monday last, as follows:—

> "I receive with deep satisfaction your sympathising address. The attempt upon the life of my son, the Duke of Edinburgh, has I feel only further aroused the loyalty of my Australian subjects, so heartily displayed in his reception. I am very sensible of the Divine protection afforded him, and in my anxiety still trust in it; while in this as in all trials I derive consolation and support from the affectionate attachment of my Parliament and People."

## THE PUBLIC OFFICES—NEW INDIA AND FOREIGN OFFICES.—QUESTION.

LORD REDESDALE *moved* for—

> "Return of the Cost of making and erecting Four Statues recently placed against the Pilasters at the South-west Angle of the India Office, and the Cost of the decorative Painting of the Interiors of the India and Foreign Offices: And to ask, Whether it is intended to allow the East Front of the new Offices on the South Side of Downing Street to be completed on a Line which will render the Demolition of the Front of the present Government Offices in Whitehall necessary, or to require it to be so constructed as to form a handsome Elevation in connexion with those Buildings?"

The noble Lord expressed his regret that the Government had this year taken so small a Vote as £10,000 to proceed with these works, and added that it was of great importance that the building should be quickly proceeded with. The appearance of the waste ground there at present greatly disfigured the locality. With respect to the statues on the exterior, those in the niches, he understood, were intended to represent Governors General; he might possibly have made out one or two, and perhaps some might be able to detect a likeness; but he could not consider them particularly ornamental. The statues to which his notice referred appeared to be female figures, and they might represent the cities of India; but they were quite uncalled for and far from being ornamental. It would have been much better that the money which they cost should have been applied in completing the building, which he thought was a matter of very great importance. The same observation applied to the large sum of money that had been expended on the interior decorations. There was another point which appeared to have been very little attended to, and was likely, therefore, to lead to a very unsatisfactory result—he alluded to the manner in which the buildings were being carried out in connection with the existing frontage of those in Whitehall. That row of buildings as altered by the designs of Sir Charles Barry presented a very handsome elevation; but it stood on a different line from that of the new offices, and it would require skilful arrangement to connect the new buildings when completed with those already erected. It had been contemplated by the architect that the existing buildings should be pulled down; but, considering the time it took to erect buildings for public offices, it was extremely desirable that those now erected should be rendered available. Any design which might be adopted should be carried out in a manner to secure the ultimate arrangement of these buildings and the widening of Parliament Street in the most efficient manner. Nothing but a design having for its object to connect all the buildings already erected and those about to be erected would lead to a satisfactory result. He regretted that he was frequently obliged to call their Lordships' attention to this subject, and he also felt sorry that all the land necessary for the purposes of these offices had not been purchased some time ago; for he believed that the longer the purchase was delayed the greater would be the sum required to be paid.

THE EARL OF MALMESBURY said, that, on one point, he could set the mind of his noble Friend at ease, for the cost of the statues to which he referred was only £847, and the cost of the decorative painting of the interior of the India Office was about £190. He had no objection to lay before the House a Return showing the expense of painting and decorating the interiors of both the India Office and Foreign Office. A general scheme was in contemplation for concentrating the public offices. A Report on the subject, which had been transmitted to the Treasury, would be very soon laid before Parliament, when the whole plan would be explained.

LORD TAUNTON desired to refer to the statues recently placed in Westminster Hall, and said, that, if anything could tend to vulgarize that noble building, it would be the erection of such statues as now stood in the Hall. A Member of the House of Commons had suggested the addition of the statue of Oliver Cromwell to the statues now standing there; but, in his opinion, the best thing to do would be to take away all the present statues.

LORD REDESDALE said, that, if the

cost of the four statues at the India Office was £800, or £200 for each, an expenditure of £8,000 would be required for the whole number of forty statues which were intended to be erected. He thought it would be much better to add that sum of £8,000 to the amount required to be expended for the commencement of the new buildings. The statues were positively unsightly, and, in respect to position, contrary to every principle of architecture.

### FRIENDLY SOCIETIES BILL—(No. 43.)

(*The Earl of Lichfield.*)

SECOND READING POSTPONED.

Order of the Day for the Second Reading read.

The Earl of LICHFIELD stated that he had agreed, at the request of the Government, to postpone the Motion for Second Reading until next week, and begged to correct a misconception respecting the 3rd clause. That clause would in no way interfere with the power given by previous Acts of Parliament to members of friendly societies to insure the lives of their own children. It simply prevented the children becoming members before the age of seven. In reply to a suggestion from a noble Lord on the other side, he begged to say that he was most ready to consent to the Bill being referred to a Select Committee; but upon the understanding that the Committee should confine itself strictly to the clauses of the Bill. He also begged to announce that he intended to move for the appointment of a Commission to inquire into the subject of the insurances of friendly societies in general, more especially with reference to burial societies. He was perfectly persuaded in his own mind that nothing short of a Commission would bring before the public what was going on amongst the working classes, in respect to those insurance offices and companies. In this Bill, he only dealt with the class of societies now registered under an Act of Parliament as friendly societies; but he was aware that a great deal of evil exists in some of those that are unregistered.

Second Reading *put off* to *Tuesday* next.

### PUBLIC PETITIONS.

Ordered, That the Name of the Lord presenting a Petition shall be written thereon.

House adjourned at Six o'clock, to Monday next, Eleven o'clock.

## HOUSE OF LORDS,

*Monday, May* 4, 1868.

MINUTES.]—Public Bills—*Second Reading*—Metropolis Subways* (73).

*Committee*—Regulation of Railways* (34); Marriages (Frampton Mansel)* (85).

*Report*—Regulation of Railways* (34-88); Marriages (Frampton Mansel)* (85).

*Third Reading*—Petty Sessions and Lock-up Houses* (71), and *passed.*

### MINISTERIAL STATEMENT—DEFEAT OF THE GOVERNMENT ON THE IRISH CHURCH RESOLUTIONS.

The Earl of MALMESBURY: My Lords, your Lordships will naturally be anxious to know what course Her Majesty's Government have thought it right to take after the division which occurred in the other House of Parliament on Friday morning. I have, therefore, to inform your Lordships that on Friday afternoon Her Majesty was most graciously pleased to give the Prime Minister an audience. At that audience the Prime Minister thought it his duty to begin by informing Her Majesty of what had taken place in the House of Commons; and, after reminding Her Majesty of the circumstances under which the late Government was formed under the Earl of Derby, and also of the circumstances under which the present Parliament was called together, the Prime Minister stated to Her Majesty that he thought her advisers were, by constitutional precedent, justified in asking Her Majesty for a dissolution of Parliament. But he added that, if Her Majesty thought that, under the present exceptional circumstances of public affairs, it were more desirable for the country that Her Majesty should call upon other servants for advice, her present Ministers were ready to tender their resignations to Her Majesty, and they did actually tender them for Her Majesty's acceptance if Her Majesty so pleased. Her Majesty said that she would take this advice and statement into her consideration: and accordingly on the next day she was pleased to give the Prime Minister another audience. At that audience Her Majesty was graciously pleased to say that she would not accept the resignation of her Ministers, and that she was ready to dissolve Parliament whenever the state of public affairs would permit.

Afterwards—

EARL GREY: My Lords, before the House is adjourned, I should wish to make a single observation upon the explanation we have just heard from the noble Lord who represents her Majesty's Government in this House. So far as I understand it I cannot acquiesce in what has fallen from that noble Lord. It would seem that an almost unprecedented state of affairs has come upon us, and—without venturing to express any opinion as to what is the present state of public opinion throughout the country—I beg to say that, for my own part, I do not wish it to be considered that I am committed to anything like an acquiescence in the propriety of the course which it appears is about to be pursued by Her Majesty's Ministers. The noble Earl stated that Her Majesty's Government, on being defeated in the other House of Parliament had, according to constitutional precedent, a right to ask the Crown for a dissolution of Parliament. I must beg to protest against that doctrine. What we used in former times to hear was this—that, when there was strong reason to believe that the House of Commons had misrepresented the feeling of the country, it was open to Ministers to appeal to the country in order to ascertain whether that feeling had or had not been rightly represented by the House of Commons; but that unless there existed strong grounds for believing that such a difference of opinion existed, the opinion expressed by the House of Commons must be considered to be that of the country. The noble Earl whom I see sitting opposite me (the Earl of Derby) will remember that this was the doctrine which was held in 1831 with regard to the dissolution of Parliament upon the question of Reform; and that the then head of the Government never concealed his opinion that that was a measure which, in his opinion, he should not have been justified in recommending, had he not felt assured that the course he proposed to pursue would be ratified by the decision of the nation—in fact, he considered that he would only be justified in taking such a course by success. I wish to make these general observations on the constitutional principle, as I do not believe that the mere fact of the Government being defeated is in itself a justification for an appeal to the country.

THE LORD CHANCELLOR: My Lords, I cannot help thinking that the noble Earl who has just sat down has somewhat misunderstood the statement which my noble Friend made to your Lordships. My noble Friend was careful to point out that the advice tendered to the Crown by the Prime Minister was based, among other things, by the circumstances under which the present Parliament was elected. If your Lordships will carry back your recollection you will remember that the present Parliament was elected in 1865, at the time when the late Lord Palmerston was Prime Minister. Your Lordships will agree with me that, without entering into any argument as to the merits or demerits of the great question which has lately occupied the House of Commons, a more important one at no time ever engaged its attention. What was the issue presented to the country at the time the Parliament of 1865 was elected? Was the country at that time asked by the noble Lord who was then Prime Minister to express its opinion with regard to the disestablishment of the Irish Church? So far from that being the case only a short year or two years before the dissolution, Lord Palmerston, through the Chief Secretary of the Lord Lieutenant, one of his subordinate Ministers, declared in the House of Commons that so far as he was concerned no consent to any measure of that kind would be given. I speak, my Lords, from recollection of the words which I myself heard Sir Robert Peel, when Chief Secretary of the Lord Lieutenant, use, when he said he spoke in his own behalf and on the part of the first Minister of the Crown. It was under these circumstances that the country was asked to elect new representatives in 1865. We may entertain among ourselves opinions which may differ as to what view will now be taken by the country on this question; but in this all will agree, that, under such circumstances, the Parliament which was elected in 1865 is not a Parliament from which the opinion of the country can fairly be elicited; and that there should be an express appeal to the country on an issue of this kind.

EARL GREY: I must confess the noble and learned Lord has rather added to my astonishment than diminished it by what he has said. For what does it come to? It comes to this—that the country is to decide upon every particular measure; and that, because this particular measure was not under consideration when the present Parliament was elected, therefore it is not competent to the present Parliament to deal with it. The very same thing might have been said, if there was any force in the argument, with reference to Reform. When the Parliament of 1830 was elected the great question which was afterwards brought before it had attracted but very slight attention; for it was the Revolution in France which first laid serious ground for public opinion. The argument used would have applied as much to that occasion as to the present. Further, it has always been held that what the country is to decide upon is the confidence to be placed in certain persons as their representatives, and having elected these persons, it is the duty of such representatives to exercise their judgment upon the measures brought before them. The House of Commons is not a meeting of delegates, but of persons authorised to exercise their own judgment and discretion on the great questions which concern the interests of the country. To say that Parliament is not competent to settle a question because it was not under consideration when that Parliament was elected, is, in point of fact, to say that Parliament is a mere assemblage of delegates, who can only express on each question the feeling of their constituents, and not a body elected to exercise their deliberate judgment on the questions which come before them. Such a doctrine is totally at variance with the opinion of our greatest statesmen, and it is one from which I, for one, entirely dissent.

The LORD CHANCELLOR: The noble Earl has put into my mouth expressions which I never used. I did not say that Parliament was not competent to deal with the question; what I did say was that a vote on a subject of great national importance arrived at by a Parliament elected under circumstances which I endeavoured to describe, offered exactly one of those occasions on which the Government of the Sovereign, in the exercise of their constitutional right might fairly tender to the Sovereign that advice which on this occasion has been given.

The Duke of SOMERSET: I think, my Lords, it must be admitted that this discussion in the House of Lords is somewhat anomalous. We are now waiting to know what the House of Commons think of the present state of affairs. So far as I can understand, the Government gives no decisive opinion on the subject. The Government are in a minority in the House of Commons, and under such circumstances the usual course is either to resign or to appeal to the country. I am perfectly aware of all the difficulties of the case. The Government say if they at once make an appeal to the country it will involve the necessity of a second dissolution within a very short period. Do Her Majesty's Government mean to appeal to the country at once, or only so soon as the state of public business will allow them? Is the appeal to be put off until next February? because, if so, Parliament would be in this position—We have two Reform Bills before us which are necessary to a dissolution—is the Government in a position to carry those measures through Parliament? Or is it, on the other hand, intended that, as soon as the money necessary to carry on the business of the country has been voted, Parliament will be dissolved? I should like, if possible, to know what course the Government means to adopt.

The Duke of RICHMOND: I can assure the noble Duke that the Government have made up their minds very distinctly on this matter, and I cannot help thinking that the noble Duke was absent when my noble Friend the Lord Privy Seal made his statement to the House. Had the noble Duke been present he would not have made the remarks he has just made. I can only recapitulate to the noble Duke imperfectly what my noble Friend stated so clearly as to the position of affairs at this moment. The Prime Minister, on the part of his Colleagues, tendered to his Sovereign the resignation of their offices on Friday afternoon. Her Majesty took time to consider the matter, and received the Prime Minister again in audience on Saturday. Her Majesty expressed her unwillingness to accept the resignation of office tendered by the Prime Minister; and the result is that we still occupy the same position we did before, and intend to conduct the affairs of the country so long as we are able to do so; and in the event of any difficulties arising Her Majesty was graciously pleased to state that she would make no objection to a dissolution of Parliament. It, of course, will depend upon the state of affairs whether that dissolution shall be a dissolution under the existing constituency, or whether it shall be a dissolution under the new constituency to be formed under the Reform Acts; but Her Majesty was graciously pleased to state that she would make no objection to either course being adopted by her Advisers whenever they should see fit to tender to Her Majesty a recommendation on that subject.

LORD FEVERSHAM: My Lords, I must express my satisfaction that Her Majesty's Advisers have not resigned their offices; for I cannot disguise from myself that, owing to the course pursued by the Opposition during the present Session, a fair and reasonable opportunity of carrying on the business of the country has not been afforded to the Government. It was a most extraordinary circumstance that the very first night the present Prime Minister went down to the other House of Parliament to assume the reins of Government—on which occasion he was received on both sides with marks of cordiality and warmth—the noble Earl (Earl Russell) who is not now in his place, thought it becoming to deliver a most uncalled-for and bitter attack upon my right hon. Friend. Before the Government had actually been arranged, or the distribution of offices settled, the noble Earl came down and made that most unjustifiable attack on the First Minister of the Crown. The Ministerial party no doubt regret very much the loss which the country must sustain by the retirement of the noble Earl (the Earl of Derby); but it was clear from the long and distinguished services of the right hon. Gentleman (Mr. Disraeli), from the way in which he has raised himself by his own abilities, energy, and industry, to the head of his party in the House of Commons, he must naturally succeed to the office of First Minister when the noble Earl resigned. The least which the Prime Minister might have expected from Parliament was fair play, and that he has not received. After the adoption in last Session of the important measure of Parliamentary Reform, it was obvious that the necessary business of the present Session was to complete that great work by passing the Scotch and Irish Reform Bills, supplemented by the Boundary and Bribery Bills. Surely that business, in addition to the ordinary work carried on in every Session, was sufficient to occupy one Session of a moribund Parliament; and yet the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone), without notice, came forward with this question of the Irish Church, which up to that moment had never been heard of. The Parliament and country were, therefore, taken by surprise. I must, however, say that the noble Earl (Earl Grey) opposite, and another noble Earl not at present in his place, having raised the war-cry on that question, now, when they see the difficulties and the crisis which have arisen, make every excuse for the course they pursued. Then, may it not be said that an unfair advantage has been taken of the Ministry in bringing forward this question of the Irish Church at the present peculiar time, when it is so difficult to test the sense of the country? But if I know anything of the practice of Parliament, all I can say is, that an Administration placed in a minority in a Parliament not their own, have the undoubted privilege of appealing to the constituencies. Here, however, is a question brought forward at a time so inopportune that it is most difficult to deal with it in the usual way. I am rejoiced that the Government will not yield up their offices in consequence of the unworthy and unjustifiable attack that has been made upon them; and I challenge noble Lords on the Opposition Benches to say whether the Administration of this country has not been conducted with ability and success. I challenge them to say whether they can find fault with the Administration of the Government in any of the great Departments of the State? Can they find fault with the administration of affairs in reference to Ireland or in respect to the domestic concerns of this country? The able manner in which the foreign affairs of the country have been carried on merit entire commendation; and it redounds to the credit of the Government that they have brought the Abyssinian War to such a successful termination. Under these circumstances, it would be highly inexpedient and unusual if Her Majesty's Advisers were to resign their offices without making an appeal to the country on so great a question as this of the Irish Church; and I believe that the Protestant feeling of the country will be found opposed to the disestablishment of the Irish Church. However, I trust that, after what has occurred, the Opposition will see the error of their ways, and will not persist in that reckless and extraordinary course they have pursued on this question. Depend upon it, it will be better for all parties to allow the ordinary business of the Session to be carried on, and to complete the great work of Reform; for nothing can be more important than to complete that great constitutional change upon which the future representation of the people is to be based.

House adjourned at Six o'clock,
till To-morrow, half-past
Ten o'clock.

## HOUSE OF COMMONS,

*Monday, May* 4, 1868.

MINUTES.]—NEW MEMBERS SWORN—John Ramsay, esquire, *for* Stirling District of Burghs; Viscount Ingestre, *for* Stamford; Edward Leigh Pemberton the younger, esquire, *for* Kent (Eastern Division).

WAYS AND MEANS—*considered in Committee.*

PUBLIC BILL — *Ordered* — Poor Law (Ireland) Amendment.*

*First Reading* — Poor Law (Ireland) Amendment* [103].

### TAXATION OF CHARITABLE INSTITUTIONS.—QUESTION.

**MR. HADFIELD** said, he would beg to ask the First Lord of the Treasury, What are the intentions of the Government with respect to the introduction of a Bill to exempt Hospitals, Sunday Schools (whether annexed to places of worship or otherwise), and other schools and charitable institutions generally from Poor's and other rates?

**MR. DISRAELI**: Sir, the vote at which the House arrived the other night on the Motion of the hon. Member for Chippenham (Mr. Goldney) has very much affected the position of the question with respect to charities; and I shall be obliged to the hon. Gentleman if, upon a subsequent occasion, he will repeat the Question. In the meantime I will endeavour to communicate to him the information he seeks as soon as I am in a position to do so.

### NAVY—RETIRED OFFICERS.

QUESTION.

**CAPTAIN MACKINNON** said, he would beg to ask the First Lord of the Admiralty, If any measure is contemplated to remedy the grievances of retired Officers of the Navy, especially those under the head of H. I. K., who complain of unjust treatment; First. in compulsory retirement; Secondly. Refusing to admit them to the benefits of other retired Captains and Commanders for length of service as awarded to all others?

**MR. CORRY** said, in reply, the hon. and gallant Member was mistaken in supposing that the retirement of the Officers in question was compulsory. The conditions offered to them were distinctly specified in the Orders in Council which constituted the list, and the Admiralty had no intention of altering the present arrangement.

### COUNTY FINANCIAL ARRANGEMENTS.

QUESTION

**SIR WILLIAM GALLWEY** said, he would beg to ask the Secretary of State for the Home Department, When he proposes to nominate the Select Committee on County Financial Arrangements?

**MR. GATHORNE HARDY** said, he hoped shortly to proceed with the arrangements.

### DUKE OF EDINBURGH— HER MAJESTY'S ANSWER TO THE ADDRESS.

Answer to Address [27th April] *reported*, as follows:—

*I receive with deep satisfaction your sympathizing Address.*

*The attempt upon the life of My Son, the Duke of Edinburgh, has, I feel sure, only further aroused the loyalty of My Australian Subjects, so heartily displayed in His reception.*

*I am very sensible of the Divine Protection afforded Him; and in My anxiety still trust in it; while in this, as in all trials, I derive consolation and support from the affectionate attachment of My Parliament and People.*

### MINISTERIAL STATEMENT—DEFEAT OF THE GOVERNMENT ON THE IRISH CHURCH RESOLUTIONS.

**MR. DISRAELI**: Sir, after the division on Thursday night, I mentioned that, in our opinion, it altered the relations between Her Majesty's Government and the House, and that it would be necessary for them to consider their position; and with that view I asked the consent of the House to an adjournment for some few days. I now ask further permission from the House to make a short statement on the subject, to give them the result of the consideration of our position, and to state the course which, in consequence, we think it our duty to pursue. I believe I am trespassing on the strict rules of the House in making a statement of this kind without a Motion, but these are rare occasions, and I am sure I can trust to the indulgence of the House. The House will recollect that when, in 1866, the Earl of Derby was summoned by the Queen to take the management of affairs, his party was in a very considerable minority in this House, which was elected under the auspices and at the appeal of his political opponents. It was, therefore, quite open then to the Earl of Derby, in the spirit of the Constitution, to recommend Her Majesty to dissolve this Parliament; and it is possible that, considering the somewhat distracted state of the Liberal party at that moment and the general anxiety which prevailed to support a Government with some principle of cohesion, that the appeal might not have been made in vain. But the Earl of Derby recollected that this Parliament itself was then but recently elected, and there were other reasons of gravity and principle, which induced him to hope that he might be able to carry on affairs with the present Parliament, and therefore he waived what has been considered a constitutional right upon that occasion. The next year, 1867, the Government of the Earl of Derby found itself called upon to meet one of the most difficult and important questions of modern times—namely, the Reform of this House—one which had baffled all statesmen and had broken up and discomfited all parties. Nevertheless, the Government of the Earl of Derby attempted, and attempted successfully, to deal with that question, and they passed a measure which all must admit to have been large in its conception and provisions, and which, I believe, has given very general satisfaction to the country. At the close of the year, after the passing of such a measure, it would have been the Earl of Derby's wish to advise Her Majesty to dissolve this Parliament—a right which he had waived in the first instance—and to take the opinion of the country upon his conduct and that of his Colleagues in carrying this large measure of Reform. But the House is aware that the Earl of Derby was prevented from taking that course, because, notwithstanding the efforts of the Government and the equal efforts of this House, there were certain supplementary measures connected with the settlement of the Reform question which it was really impossible to pass last year. But all these measures, in principle, were accepted, and adopted last year; and, accordingly, there was a fair prospect that, under these circumstances, the Earl of Derby having completed the measure of Parliamentary Reform, and carried all the other measures that were absolutely neces- for the good government of the country, might have had, at the close of this Session, the advantage of that appeal to the country which he believed he had fairly earned. The Earl of Derby having waived, what was not strictly perhaps, though practically it had been held to be, the constitutional right of a Minister upon taking office, to advise the Crown to dissolve a Parliament elected under the influence of his political opponents; having waived that right at the end of 1866; and the course of circumstances having again prevented him from availing himself of that right at the end of 1867,—The Earl of Derby, I say, felt that he was placed, unintentionally, of course, by any one, but still inevitably, in a position of some unfairness, and regretted that he had not had the opportunity which, I think, all must admit he might legitimately have expected to enjoy.

I will ask the House to permit me succinctly to inquire whether, in the administration of the country by the Government of the Earl of Derby, and during the period in which I have had some influence in affairs, anything has occurred to derogate from the effect which the exercise of such a constitutional right under our advice might have been expected to produce? Sir, I am most anxious, on this occasion, to use no expression which can for a moment be considered in the slightest degree coloured; and I would speak, if I could, on an occasion so critical as the present, with the judicial accuracy of the Bench. But I think I may say, speaking in the hearing, I hope, of fair, though I know of vigilant critics, that during the period we have so held Office the conduct of our administration in no important branch was ever impugned. I think I may even go further. Not only was the conduct of no important branch of our administration ever impugned during that period, but our administration in every branch was supported by this House, and commended even by our opponents. I will take, notably, the administration of Ireland, that being the country the proposed legislation respecting which has brought about the present political crisis. It is on record that the Leader of the Opposition, Earl Russell, has on more than one occasion, and in the most marked manner, expressed his entire approbation of the administration of Ireland under the Marquess of Abercorn. He has congratulated the Earl of Derby on possessing such a Colleague; and he has publicly in

Ireland announced that, under the Viceroyalty of Lord Abercorn, the Irish enjoy an impartial administration of justice. It will be remembered that the administration of Ireland has been conducted under the most difficult and trying circumstances; and, speaking in the presence of many Irish Members of great ability, of long acquaintance with Parliamentary matters, and of extreme vigilance as to the conduct of Ministers, I appeal to their recollection whether, during the whole period of our administration, the conduct of the Government in Ireland has not always been spoken of with respect and sympathy by hon. Members opposite? That administration has been acknowledged by many of those hon. Members to have been a firm and successful, but, at the same time, a lenient and merciful administration. If we look to the administration of our own home affairs, my right hon. Friend the Secretary of State had to cope with that dark and fell conspiracy which infested Ireland, without the advantages which the Marquess of Abercorn possessed in the suspension of the Habeas Corpus Act as an instrument by which he might baffle the intrigues of foreigners. Yet I think it has been generally and generously admitted in this House, and I believe also in the country, that my right hon. Friend met these difficult circumstances with great firmness, with unceasing vigilance, and with complete success. If we look to our financial measures, not one of them has been questioned or opposed; and I must acknowledge that those which I myself brought forward were supported, generously supported, by the right hon. Gentleman opposite. So much for our Government of Ireland and for our administration of home affairs and of finance. I now come to the greatest Department of the State, one, which perhaps, is brought less prominently before this House than others—but which, after all, more than any other affects the prosperity of this country. Upon the judicious management of our foreign affairs depends peace or war; the tranquil pursuits of industry, and the amount of taxation which must be levied in the country. For by a single blunder in the conduct of our foreign affairs the most provident arrangement of finances ever planned may in a moment be cancelled and destroyed. Just before the House adjourned for the holidays the conduct of my noble Friend the Secretary of State in the affairs of Turkey was attacked in the other House of Parliament with some acrimony. The conduct of my noble Friend was triumphantly defended on that occasion, and by whom? By the noble Earl the Leader of the Opposition! He himself had been Foreign Secretary, was cognizant, therefore, of the merits of the case; and he vindicated in a complete manner and gave his entire approval to the management of the Turkish question by my noble Friend. Allow me to say that foreign affairs, although they have not been much brought before the House, have been in a very critical state during almost the whole time that we have been in Office; and I claim for my noble Friend that by his judgment and by his great ability he has kept this country clear from very perplexing difficulties. Well, Sir, what happened with regard to affairs in Turkey really has happened with regard to all our other external relations in the most important parts of the world during the greater period of the time we have conducted the Government of this country. They have been in a state of great tension, requiring perfect temper, calm judgment, conciliatory manners, and a clear conception of the interests of this country. But I need not dwell upon this subject, because if I were to call witnesses in favour of the administration of our foreign affairs, by the present Government, they would be found on the Benches opposite; for those affairs have never been brought under the consideration of this House without the warmest and most generous attestations of the judgment and skill of my noble Friend, notably in the case of a prospect of a collision between France and Prussia, which terrified the civilized world, and, notably, also, in the management of our relations with the great trans-Atlantic Republic, which when we acceded to office were in a state far from satisfactory; but which I can say now promise to realize the best expectations which statesmen can indulge in. Indeed, if it had not been for those unfortunate domestic misunderstandings which have prevailed and have diverted the attention of the public men of America from other duties, we have had on more than one occasion recently a very probable prospect of a settlement of those questions which had perplexed our predecessors, and been a source of great anxiety. Sir, I will say, also, that at no period within my recollection has the influence of England been greater on the

Continent of Europe than it is at the present moment; and that not by busy, intermeddling—not by thrusting our opinions on other Powers—but by a conviction on their part that the Government of this country is animated only by justice, by a sincere desire to maintain peace, and by an anxious wish to conciliate other Powers by a fair and not obtrusive sympathy. The consequence has been that, though the Government was established on a liberal but clear basis of non-interference, I believe that no Government, during the period that it has been in power, has been applied to more frequently by all the Great Powers of Europe for its friendly offices and to exercise its influence than the present one.

Now, Sir, in the management of our foreign affairs there was one subject which occasioned my noble Friend—avowedly a lover of peace, and, as all know, a most cautious Minister—the utmost anxiety. That was the state of affairs we found in Abyssinia, our relations with which country were of so painful and perplexing a kind that my noble Friend, after great hesitation and deep reflection, felt it his duty to call the attention of the Cabinet to that state of affairs, as one that could not longer be tolerated, and which for the credit of this country ought to be terminated. The House is well aware of what were the consequences of that appeal to the Cabinet by my noble Friend. I do not arrogate for a moment to ourselves the merits which attach to admirable troops and admirable commanders; but the House knows that if the Expedition had failed we must have borne the responsibility; and I think every impartial mind will admit that in its management there were some circumstances for which Her Majesty's Government may claim credit. First of all, for the decision that the Expedition should be undertaken; secondly, for the selection of the commander; and, thirdly, for the energy and fertility of resource with which our troops were sustained and supported. Though that Expedition necessarily took its origin from the Department over which my noble Friend presides, its management fell to the Secretary of State for another Department; and whatever may be the fate of the present Ministry, I am sure my right hon. Friend the Secretary of State for India will ever be remembered in reference to that Expedition by the House of Commons with respect and by the country with confidence. I think that in attempting to put before the House the position of the Government I have shown that if we were entitled, according to the spirit of the Constitution, when we acceded to Office, to advise Her Majesty to dissolve Parliament, and if we were further entitled to take such a step in consequence of having passed the Reform Bill, there is nothing in our administration of the affairs of this country, under the great heads to which I have adverted which ought to deter us from adopting, such a course, or ought to make us fear an appeal to our fellow-countrymen.

Now, Sir, in this state of affairs a new question arose in the House of Commons. It arose suddenly at a few days' notice. I am not imputing that as any blame to the right hon. Gentleman. I am only stating facts. I do not wish to have any controversy on an occasion like this, but I am recalling the recollection of the House to facts. At a few days' notice the House was asked to consider a proposition of a startling character, which was, in fact, no less than the disestablishment of the Church in a portion of Her Majesty's dominions. It so happened, as the House is aware, that on the Motion of the Leader of the Opposition (Earl Russell) there had been a Royal Commission issued by the present Government to inquire into the condition of that Church. It was also well known that the Commission had been intrusted to very able men, and that they were pursuing their labours with considerable energy and determination. It was even known that there was more than a prospect of their reporting the result of those labours to Parliament this year. Therefore, considering the peculiar duties which devolved upon the Government—namely, of passing the supplementary Reform Bills, I do not think it was unreasonable in them that they should have met the proposition of the right hon. Gentleman by referring to the Royal Commission, by impressing upon the House the expediency of waiting until the Commission had reported, and then, either in this, or probably in the next Parliament, taking that course which the wisdom of Parliament, with the information from that Commission before it, should authorize and induce them to adopt. Well, Sir, the House was not of that opinion; and, therefore the question was brought before it, the distinct issue whether the Church should be disestablished in Ireland. Now, Her Majesty's Ministers were entirely opposed to that policy, and for distinct reasons which I will give. I go into this matter, not with a wish to obtrude any arguments on the House at this moment, or to introduce any matter of controversy; but merely with the wish that the House should on such an occasion clearly and distinctly understand what were the reasons for which we opposed the policy of the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone). We opposed the disestablishment of the Church in Ireland, firstly, because we considered it to be a retrograde policy—that it was calculated to revive and continue animosity, and that it ran counter to that policy of conciliation of classes and creeds which had for thirty-four years been pursued in this country, and not unsuccessfully. Secondly, we opposed it because we thought it endangered property. Thirdly, we opposed the policy of disestablishment because it disunited the principle of religion from authority, and by so doing, in our opinion, degraded and weakened authority. And fourthly, lastly, and chiefly, we opposed it because, if that principle were adopted, we could see nothing that would prevent its application to England sooner or later, and in our opinion, much sooner than was anticipated. The consequences of the application of that principle to England would be very serious. If the union between Church and State is abolished, the Church must either become an *imperium in imperio*, and so become probably more powerful than the State, and weaken the action of Government, or it must break into endless sects and schisms, which would finally be absorbed by the tradition and discipline of the Church of Rome. I say, then, that equally, in either alternative, the Royal supremacy must be destroyed. The Royal supremacy has hitherto been looked upon as the corner-stone of the Constitution. It is universally admitted to be the only security for religious liberty; and, in our opinion, it is one of the main guarantees for our civil rights. These were the reasons why the Government opposed the proposition of the right hon. Gentleman. The House, however by a large majority, decided in favour of the policy of the right hon. Gentleman, and we had then to consider whether the vote of the House in that respect militated against the constitutional claim to which I have before referred, to advise Her Majesty to dissolve Parliament, and which, in our opinion, was not weakened by our general conduct in the administration of affairs. There were three reasons which convinced us that the decision of the House did not militate against the assertion of such a privilege on our part; and they were these:—In the first place, it was evident that no conclusive legislation upon the Church in Ireland could take place in this Parliament. That is acknowledged. In the second place, it was notorious that this question had never been hinted at on the hustings when this Parliament was elected. And thirdly—and I state this with the utmost respect to hon. Gentlemen opposite, and an unwillingness to assert an opinion which is not the opinion of the majority, but I am bound in duty to my Colleagues to express it—it is our profound conviction that the opinion of the nation does not agree on this subject with the vote of the House of Commons.

Now, Sir, before I advert, as I will do in a moment, to the course which we feel it our duty to take with reference to that vote on Thursday night, I would ask the indulgence of the House to touch upon a subject which, indeed, concerns the interests of the House itself. We have been accused — and, I am sorry to say, not merely out-of-doors—of unworthily clinging to Office, and of governing this country by a minority. Accustomed as I am to aspersion, I should be perfectly willing to let these taunts pass unnoticed, but that they involve—in my mind and in the opinion of my Colleagues—a public principle of importance. Now, Sir, in the first place I would observe that I know of nothing in my conduct in this House, since I have sat in it, or in the conduct of any of the Gentlemen who on former occasions have been my Colleagues in the Governments of Lord Derby, which at all justifies this taunt of unworthily clinging to Office. I would remind the House that in 1852, when I was leading this House, and was put in a minority on the measures which I brought forward, I was openly adjured, and I was privately solicited— and Lord Derby experienced the same appeals—not to resign our trust. We were assured, then, by the highest authorities, by Gentlemen who were our rivals, and many of whom became our successors, that the vote they arrived at was not a vote—being a financial vote—which authorized our resignation of Office: and the utmost efforts were made to prevent our retirement. Now, although Lord Derby's opinion on that point was the same as my own, he, with characteristic generosity—considering that, as I sat in this House, I had borne the burden of the fight on the subject—left it to me to decide. And I never hesitated for a moment as to the course to be adopted; being in a minority in our own Parliament, we went out of Office. There was no unworthy clinging to Office under those circumstances. Well, Sir, what happened in the year 1859, when I brought forward the first Reform Bill which I introduced to the notice of Parliament? We were placed in a minority by the success of the Motion of the noble Lord (Earl Russell), who then sat below the Gangway on the opposite side. Lord Palmerston was then Leader of the Opposition, and he adjured me in the most decided and solemn manner neither to resign nor to dissolve; and he privately repeated this. He said—"You have failed on a question on which every Ministry has failed—on which every party and every public man has failed; and the vote we arrived at was not a Vote of Want of Confidence. As far as I am concerned"—and he was the man who led the party, and who became Minister when we retired from Office—"nothing of the kind was intended." But we did not follow the advice of Lord Palmerston. We appealed to the country, which was as constitutional a course as resigning, and our conduct showed that on that occasion there was no unworthy clinging to Office on our part. But now it is said we are governing by a minority. Well, Sir, if that be true, the imputation is upon the House of Commons. If a body of men have for nearly two years conducted affairs by a minority, the imputation founded upon such a circumstance recoils upon the House, and not upon the Government. The fact is, there is no foundation for the charge. It is very true that, told by the head, we have never had a majority of pledged partizans; but there have been relations of courtesy and cordiality between the Government and the great body of the House, and we were allowed to carry on affairs—as I have shown not unsuccessfully—because the majority of the House did think that, under the circumstances of the case, it was to the advantage of the country that we should continue to administer affairs. It is not wise on the part of the House of Commons to analyze with too close a scrutiny the numerical elements by which a Ministry is carried on. To do so would vitiate the practical qualities for which this House is celebrated. Allow me to remind you of a parallel case. When Lord John Russell was first made Prime Minister, he took Office under circumstances very similar to those under which we acceded to power—the Conservative party was broken then as the Liberal party was broken in 1866. Lord John Russell took Office with a majority of 100 sitting opposite to him, and no single Member of that majority ever joined the party of Lord John Russell. It was perfectly on the cards, if they had agreed on some particular subject, as the Opposition have recently done, that Lord John Russell should have been thrown in a majority any night. But no one reproached Lord John Russell for carrying on the Government with a minority, and he carried on the Government with a minority for no less a term than five or six years; and he did it for the advantage of the country and with the full approbation of Parliament, being morally supported by a majority as we have been morally supported by a majority. It is advantageous for the House that they should have clear conceptions on this subject, because it is not for the honour of the House that it should be said that any body of men who did not possess the confidence of the majority are still able to conduct the affairs of the House. There is only one other remark which I will presume to make upon this subject. The same noble Lord to whom I have so frequently referred in the course of these observations has recently written several pamphlets, and he has written one in which he has made free comments—which I shall not notice—on my conduct, and has also given me advice. He says that, in the situation in which I am placed, I ought to follow the example of Sir Robert Peel, and resign. Now, Sir, in the first place, allow me to remark that there is no similarity whatever between the position occupied by the present Government and that occupied by the Government of 1835. Sir Robert Peel was defeated three times on the Irish Church during the five months he sat on this Bench as Prime Minister; but he was defeated four times also on very important questions—one being not less important than the election of the Speaker. From the very first day that he assumed this place to the last day of his retaining it, he met with a violent and unscrupulous opposition. I do not say that offensively, for, no doubt, this conduct was founded on reasons which were felt to be sufficient. But when Sir Robert Peel resigned, look at the language which he used. He said—"I will not continue this struggle, because I can no longer bear defeat in a Parliament which was elected under my auspices and on my own appeal."

Having made these remarks, I will now, with the permission of the House, revert to the vote of Thursday night, and state to the House the course which Her Majesty's Ministers, under these circumstances, feel it their duty to take. After that Vote, I lost no time in soliciting Her Majesty to be graciously pleased to grant me an audience, and, with that promptitude which Her Majesty always displays when the public interest is at stake, she granted that audience immediately, so that I had the advantage of being in audience of Her Majesty on the afternoon of the very day on which the vote was taken. On that occasion I placed—I am sure fairly and completely—before Her Majesty the position of the Government and the position of parties, and the position of the country with respect to them; and I told Her Majesty, with her permission, that, under the circumstances—with which from my previous narrative the House is perfectly acquainted—the advice which Her Majesty's Ministers would, in the full spirit of the Constitution, offer to Her Majesty would be that Her Majesty should dissolve this Parliament, and take the opinion of the country as to the conduct of her Ministers and the question of the Irish Church. But, at the same time, with the full concurrence of my Colleagues, I represented to Her Majesty that there were important occasions on which it was wise that the Sovereign should not be embarrassed by personal claims, however constitutional, valid, or meritorious; and that if Her Majesty were of opinion that the question at issue could be more satisfactorily settled, or the just interests of the country more studied, by the immediate retirement of the present Government from Office, we were prepared to quit Her Majesty's service immediately, with no other feeling but that which every Minister who has served the Queen must possess—namely, of gratitude to Her Majesty for the warm constitutional support which she always gives to her Ministers, and, I may add—as it is a truth which cannot be concealed—for the aid and assistance which every Minister receives from a Sovereign who now has had such a vast experience of public affairs. In fact, Sir, I tendered my resignation to the Queen. Her Majesty commanded me to attend her in audience on the next day, when Her Majesty was pleased to express her pleasure not to accept the resignation of her Ministry, and her readiness to dissolve this Parliament so soon as the state of public business would permit. Under these circumstances, I advised Her Majesty that, although the present constituency was no doubt as morally competent to decide upon the question of the disestablishment of the Church as the representatives of the constituency in this House, still it was the opinion of Her Majesty's Ministers that every effort should be made with a view that the appeal, if possible, should be directed to the new constituency which the wisdom of Parliament created last year; and I expressed to Her Majesty that, if we had the cordial co-operation of Parliament, I was advised by those who are experienced and skilful in these matters that it would be possible to make arrangements by which the dissolution would take place in the autumn of this year.

Before I conclude I wish to refer to something which peculiarly concerns the Public Business, but which happened after I quitted the House on Thursday night. I am told that, unexpectedly, a scene of some warmth occurred, and that it was stated by one of the highest authority in this House, and for whom, notwithstanding our constant struggles, I personally have much respect, that I did not treat him fairly in the arrangement of the business for this night—that I had even deceived him. [Mr. Gladstone: No, no!] Well, I shall take the words which the right hon. Gentleman alleges he used, for I am sure he will only say that which is strictly true; but I will refer now to more important matters. I did not leave the House, and should not have left the House—though hon. Members may understand that there was an exigent reason for my doing so—unless I had thought that between the right hon. Gentleman and myself there was a very clear understanding as to the course of business. If the right hon. Gentleman, at the time he agreed with me as to the duration of the adjournment, had expressed any wish respecting the day for which the Resolutions should be fixed I would have met him, as is my custom, without any difficulty. But he did not allude to the subject. If the right hon. Gentleman had asked me for Monday, Monday he should have had; but as to the arrangement of the business of the House by me being a violation of any pledge or understanding, I honestly confess that I paid very little attention to the arrangement of the business for this Monday. I gave formal and indifferent orders when I left the House, and I thought it more than probable that I should never appear again at this table, except to make the formal arrangements which the public business of the country required. Nothing, therefore, could be further from my intention than to treat the right hon. Gentleman in the manner in which he seemed to convey to the House I treated him. Sir, however bitter may be our political dissensions, I trust that the conduct of business in this House will always be a subject of perfect courtesy and the most impartial fairness. I am quite sure that if that rule is not rigidly adhered to a popular assembly like the present will cease to be an assembly of Gentlemen, and must be a scene of rude anarchy. Sir, with regard to the Resolutions upon the Irish Church—having disapproved the first Resolution, I, of course, disapprove the second and the third; but I look upon these two Resolutions as corollaries of the first Resolution; and being now about to make an attempt to carry on the business of the country with the utmost expedition, I certainly have no wish whatever to enter into protracted debates and formal divisions on the second and third Resolution. I shall offer them my hearty negative, but I shall take the course which I have indicated; and so far as the right hon. Gentleman is concerned, I shall be perfectly ready to place at his disposal the earliest public day that is at my command. But with regard to the Motion which the right hon. Gentleman has placed upon the Paper, I could not assent to such a Motion with any self-respect. Indeed, if I assented to it, I do not think I should be consulting the general interest of the House To such a Motion I must give my unqualified assent. [Mr. Gladstone: You mean opposition.] Yes, opposition. The right hon. Gentleman corrects me so fairly that I hope he will not insist on the course he has indicated. I have now stated to the House the results of the consideration of their position by Her Majesty's Government, and I have, by the permission of the Queen, without reserve, laid before them everything that has transpired since the division of Thursday night.

Mr. Gladstone: It appears to me, Sir, that whether the course adopted by the right hon. Gentleman in introducing into the statement he has made so much matter of a retrospective nature and so much matter of an argumentative character be a novel course or not, it is attended with this inconvenience—that those who have travelled over the ground along with the right hon. Gentleman, and who are not able to take the same view of the matters he has touched upon as necessarily presents itself to his mind, cannot pass by in absolute silence the retrospective portions of his speech. Now, with respect to the panegyric which the right hon. Gentleman has pronounced upon the conduct of most of the Departments—not all the Departments, nor all the great Departments—of the State under the present Administration, all that I have to say is that I think such a panegyric would have been more in place upon some occasion when the existence or the general conduct of the Government was questioned by an opponent than when the right hon. Gentleman was only showing to us the reasons which have satisfied his own mind and that of his Colleagues that he would best perform his duty to his country by continuance in Office. I am sorry that the right hon. Gentleman's statement upon this matter assumes in so far the character of a challenge, that, while I freely own in respect to various Departments of the State that I see no reason why Parliament should regard the conduct of public affairs by them otherwise than with satisfaction, there are other Departments—and, I must say, the whole of the great spending Departments, the military and the naval Departments, and the great controlling Department of the Treasury—with respect to which I, for one, cannot express anything that approaches to satisfaction or approval, and must reserve my free right to question both the past conduct and the present intentions of the Government. The right hon. Gentleman spoke of finance. I do not now refer to finance. He will understand that I refer to that other great function of the Treasury which makes it the main security of the country for moderating the public expenditure. I pass on from that subject, and I must notice what was stated by the right hon. Gentleman with regard to the Irish Church. The right hon. Gentleman succinctly, but in very plausible terms, ran over the whole of the arguments which have governed himself and his Colleagues in their opposition to the policy recommended from this side of the House and adopted upon three separate occasions by a large majority of the House of Commons. Certainly I think that the right hon. Gentleman cannot complain of the liberty which is afforded to him by the House, because he says—and, indeed, he repeated the statement at several intervals in his speech—that he would on no account use angry language, that he would entirely avoid the origin of controversy, and yet these declarations are in his mind sufficiently elastic to allow of his describing in the same speech the conduct pursued within the memory of many of us by the party which now occupies these Benches as a violent and unscrupulous Opposition. I shall endeavour to follow rather the precept than the practice of the right hon. Gentleman, and will only say that, with regard to the assertions and arguments that he has used upon the Irish Church, I do not think that anything he has said will tend in the slightest degree to weaken the strong convictions or the fixed intentions which I believe prevail on this subject; and I must say also, that I think the right hon. Gentleman did an act of gratuitous and unnecessary courtesy when, after he had drawn the frightful picture of a land surrendered to the ravages of unlimited sectarianism, and had pointed out that the unfortunate destiny of all those divided parties was to be swallowed up in the devouring maw of the Church of Rome —I think it was unnecessary to specify that he did not mean by the expression he used any ill compliments to the Church of Rome. Certainly not, Sir. Unquestionably not. Compliments to the Church of Rome so extravagant as that, I, for one, never have heard. I will only say I believe they would surpass alike the expectations and even the capacity of my hon. and learned Friend the Member for Dundalk (Sir George Bowyer). I think, Sir, an apology to those unfortunate members of the Church of England and the Nonconformist bodies, the Church of Scotland, and the Presbyterians not established in Scotland, would have been considerate on the part of the right hon. Gentleman, because we have been in the belief that there is in the religion that we profess something in the nature of a guarantee and a security, and we regard those opinions that threaten us with absorption and extinction through the power of the Church of Rome as servile and debasing. The right hon. Gentleman said we were all aware that the Commissioners on the Irish Church are working with considerable energy. He may be aware of it; I certainly was not at the time when this Motion was made, although I have heard a great deal of its action since. While I am speaking of what I may call the revelations of the right hon. Gentleman, I must refer to one remarkable in its character. It was that in the month of December, 1852, as I understand the right hon. Gentleman, almost all or many of the leading persons who were at that Ministerial crisis opponents of the Government, and who subsequently became Members of the succeeding Administration, made representations — I believe he said to the Earl of Derby and himself—to the effect that they ought on no occasion to resign in consequence of the adverse vote at which the House of Commons had then arrived. It is not for me to contradict the right hon. Gentleman. I had myself some share of the responsibility for the overthrow of that Government. I do not know in what category the right hon. Gentleman considers me to have stood; but certainly I was not one of those persons who made such a representation; and not only so, but being on the most cordial terms of political and personal friendship with almost all who constituted the succeeding Cabinet, I can only say that the declaration I have received from the right hon. Gentleman is the first assurence that has ever come to me—nay, the first inkling of such intelligence as that representations of that nature were conveyed to the right hon. Gentleman and to the Earl of Derby. The right hon. Gentleman has made constitutional propositions, or rather propositions touching the Constitution, such as I for one am not able to pass without notice. The right hon. Gentleman treats it as a matter of course that every Administration, or at least every Administration sitting in a Parliament that was called into existence before the Ministry itself, is entitled, for no other cause than the cause of its own existence, to inflict upon the country a dissolution; and the right hon. Gentleman has distinctly told us that that infliction was the measure which he advised Her Majesty to adopt upon the present occasion. I have said to "inflict" upon the country a dissolution, because, from very old date and by high Parliamentary authority, the epithet "penal" has been attached to dissolutions of that character. Sir, I question, I challenge the doctrine of the right hon. Gentleman. I must tell him that if he wants authorities to support his doctrine—if he wants precedents to sustain it, those precedents must be drawn from the former conduct of the Earl of Derby and himself. Where will the right hon. Gentleman find a case, until Friday last, in the whole history of this country, in which a Ministry, twice defeated by majorities of 60 and 65, advised the resort to a dissolution? There is no such case. The right hon. Gentleman speaks as if this resort to a dissolution—an adverse or penal dissolution—were an everyday practice. What are the instances of such resort? The case of 1841 is a doubtful precedent; the Government which appealed to the country did so with a majority against it of a single vote. It was the same in the famous and memorable case of 1784, when, if I recollect rightly, Mr. Pitt appealed to the country after a division in which 190 Members voted for him and 191 against him. The right hon. Gentleman has named Sir Robert Peel; but he will not tell me that the opinion of Sir Robert Peel was that every Ministry was justified, upon the plea that the Parliament had not been elected under what the right hon. Gentleman calls its influence, in making a dissolution a previous condition to its resignation. In the first place, I deny that the question whether the Parliament was elected with this or that Government in Office is a consideration which, according to the doctrine of our Constitution, enters into the case in the manner and in the degree in which the right hon. Gentleman has represented it does. The right hon. Gentleman seems to suppose that such is the influence of an existing Government that it must necessarily be taken for granted that the effect of that influence is powerfully and conclusively felt in the elections. [Mr. DISRAELI made a gesture of dissent.] Very well, if the right hon. Gentleman does not take that for granted he only enables me the more broadly to question his proposition and to ask him to show me, from the history of this country, and from great constitutional authorities other than Members of the Governments of Lord Derby, where the doctrine is laid down that, irrespective of other considerations, an Administration as an existing Administration is entitled to make an appeal to the country a condition previous to its resignation of Office. Sir Robert Peel in 1846—beaten by a small majority, and having just carried a measure which insured for him unrivalled popularity—did not thus appeal to the country. I conceive the right hon. Gentleman is the person who is bound to prove his proposition. He has quoted no precedent whatever. [Mr. CONOLLY: Lord Palmerston in 1857.] The hon. Member must just this moment have come into the House. I have myself been quoting precedents where Ministers have appealed to the country, and he supposes me to be affirming the proposition which I deny. I do not lay down the doctrine that any Ministry has the right to appeal to the country before resigning; but I challenge and deny the doctrine that all Ministers have the right to appeal to the country. Lord Palmerston appealed to the country in 1857 upon a most important question of public policy. [An hon. MEMBER made a remark which did not reach the gallery.] Pardon me, we must not confuse together things essentially distinct. The right hon. Gentleman for the first half-hour of his speech never referred to the question of public policy, but argued that from the moment Lord Derby came into office he had the constitutional right to a dissolution, which constitutional claim he then proceeded to argue was not weakened but strengthened by the good conduct of the Government. It is against this proposition of the right hon. Gentleman that I am now venturing to argue. There are two conditions, as it appears to me, which are necessary in order to make an appeal to the country by a Government whose existence is menaced a legitimate appeal. The first of them is that there should be an adequate cause of public policy; and the second of them is that there should be a rational prospect of a reversal of the vote of the House of Commons. I have not said one word against the advice given by the right hon. Gentleman so far as it may be thought it can be founded upon one of those two principles. At the same time, I am not willing now to conceal my opinion that the right hon. Gentleman was not well justified in that advice. The right hon. Gentleman and his Colleagues, as I have shown, are too much given to this practice of dissolution. Dissolution in 1852, dissolution in 1859, dissolution in 1868—and all these to determine the question whether the right hon. Gentleman and his Friends were to continue in office. Dissolution in 1852—the people gave their reply, and it was a negative one; dissolution in 1859—the people gave their reply, and it was again a negative one; and I entirely question this title of Governments, as Governments, to put the country as a matter of course to the cost, the delay, and the trouble of a dissolution to determine the question of their own existence. But if I am told, on the other hand, that the right hon. Gentleman would never have thought of referring to the country, especially for the third time after two unfavourable answers, the mere Ministerial existence of himself and his Colleagues, but that he did think he was justified in referring to the country the great question of the Irish Church, then, Sir, my duty is to regard that matter from a perfectly distinct point of view; and I say first of all that the right hon. Gentleman would be the first Minister who had declined to adopt, as a sufficient evidence of the judgment of the country, those majorities of 60 and 65 which have been recorded against him. Now, that is a matter of history—that is a matter of historical fact; and it is open to the right hon. Gentleman, or any other Member of this House, to question what I have said. But that is not all. We are now told that the question of the Irish Church was what was to be referred to the constituencies. Well, but the right hon. Gentleman has from the first denied that the present Parliament or the present constituencies ought to deal with the question of the Irish Church. And not only has he denied that, but it is admitted on all hands, nay, it is part of the case of the right hon. Gentleman when he comes to another portion of the argument, that when we are about greatly to broaden the basis of our representative institutions it is fair and right that the ultimate decision of the question should depend on the representatives of the new constituencies. Therefore the plea that this was to be a reference on the question of the Irish Church is no plea at all. Suppose that the right hon. Gentleman's ill-judged advice had been accepted by Her Majesty—as, happily, it was not — but suppose it accepted by Her Majesty, and the new Parliament had met, for what purpose would the new Parliament have met? Would that Parliament have disposed of the question of the Irish Church? Certainly not. All that the new Parliament could have done would be to have dealt with such a policy as I have humbly recommended, and shall again humbly recommend, the adoption of a Suspensory Act. That is the utmos the new Parliament would have done, and then it would have been justly confronted with the necessity of completing the work of Reform, and adjourning to the Parliament of the *paulo post futurum* the final settlement and adjustment of the Irish Church question. Therefore, I am bound to say that the only question for the sake of which the right hon. Gentleman thought fit to advise Her Majesty, in the face of great public inconvenience, to dissolve the present Parliament, with the certainty of another dissolution impending within a few months—possibly six or nine months afterwards — the only question, I say, for the sake of which he gave that advice was in truth the question of his own Ministerial existence. I do not wish to be responsible by my silence for allowing the statement of that advice to the House to pass without notice; that I, for one, do not think that the right hon. Gentleman who gave it was acting in the spirit of the Constitution, and I am heartily and thoroughly glad that that advice, though tendered, was not accepted. Now, Sir, with respect to the position of Her Majesty's Government, I need not detain the House. The plan of the right hon. Gentleman is this. He is at issue with the House of Commons—with what he on Friday morning called "the present" House of Commons—upon the subject of a proposal which one Minister, the First Commissioner of Works, declares to be the most revolutionary that has been made during I forget how many centuries—I forget how many, and I do not wish by any mistake of mine to commit the noble Lord — and with respect to which the Prime Minister told us that its ultimate consequences will, I think, be more grave than those of a foreign conquest. And it is to the House of Commons standing on the Resolutions so described in the language of the Ministry, that the right hon. Gentleman now proposes to proceed to a dissolution, a dissolution not immediate, according to the course of historical precedent, but postponed for a time which he vaguely designates as "in the autumn," but which may, I think, probably be rather in the winter, and during that interval—and I think I have spoken moderately with regard to it—he standing on these relations with the House of Commons, proposes to carry through questions of great constitutional importance. And so it is that a Government professing to represent a constitutional party interprets and applies the principles of our Constitution. Sir, having described the position, I cannot subscribe to the propriety or wisdom of the course of the right hon. Gentleman; but that is not my affair. The fate of the right hon. Gentleman is in the first instance in his own hands, and, as far as I am concerned, I have other matter to consider which demands and which absorbs my whole attention and anxiety. We have not had perhaps all the advantages of the right hon. Gentleman in the choice of the mode in which, and the time at which we should declare our intentions; but our intentions—and when I say our intentions I speak of the intentions of those with whom I have been able to communicate, or whose minds I think I may venture to interpret — our intentions have this advantage, that they are in their nature clear, simple, and decisive. There is one question which is paramount to every other—the question of the relations, the Imperial relations, between England and Ireland, and the branch of that question which partly the proceedings of Her Majesty's Government, partly the state of affairs, and partly, if you like—for I do not shrink from the responsibility — our proceedings, have thrust into the foreground is the question of the Irish Church. What we have held may be summed up in these two propositions — that it was the duty of this House, emphatically, intelligibly, and without delay, to declare its mind upon the great question of the Irish Church Establishment — whether it ought or ought not to continue. That was the first of our propositions. Thus far we have proceeded. The House has declared itself with an emphasis and decision which on our part leave nothing to be desired. So far, therefore, as I may presume to judge, we have all of us advanced much too far into the interior regions of this question to leave the idea open to anyone that there can be advantage in postponing or retreating from it now. The second of our propositions has been from the first that the abstract Resolutions ought, for reasons which when the time comes I shall be prepared to state, to be followed up, so far as depends upon the majority of this House in the exercise of its constitutional power, by the passing forthwith of a Suspensory Act, which shall have the effect of distinctly declaring the mind of the present Parliament, and of preparing the way for the action of the next Parliament. Well, Sir, there is nothing in the statement of the right hon. Gentleman which, as it appears to me, modifies in any degree the force of this conclusion. We are prepared to go forward with the Resolutions that lie on the table, and of course it follows that we are prepared to go forward with the ulterior steps depending upon the carrying out of these Resolutions. Sir, I have no covenant to make with the Government; I have no question to put. The right hon. Gentleman, I assure him, is quite mistaken if he supposes that I intended on Friday morning to impute to him any breach of faith; for I did not believe that the arrangement of business of which I complained had been made by him, or if it had been made by him I should have been very loth to use words for which I had not sufficient evidence or warrant. What I said I was perfectly justified in considering on Friday morning was this, that on Friday afternoon we were in a condition, and were entitled, with the perfect understanding of the House, to proceed immediately after one Order had been disposed of, which I felt confident would not stand for more than a few minutes in our way, with the second and third Resolutions. That being so, I never doubted for one instant that when the right hon. Gentleman interposed, and said to us at any early hour on the morning of Friday that he proposed to adjourn to Monday, it was with the intention to place us on Monday afternoon in the same position in which we stood at that time. I think that was a reasonable construction, and my request a reasonable request. The Notice which I gave I gave advisedly, and with the purpose of pressing it to a division, in case I should find there was a public exigency to justify such a course. Now let me consider, after this explanation, how the matter stands. As I remember, and as I think the hon. Gentleman himself admits, his pledge to us was this—to give us, from the facilities at his command, a fair opportunity for the consideration of the Resolutions. So I understood him before, and so I understand him now. With regard to what is to follow, that is a matter which, if the House affirms the Resolutions, the House will no doubt be prepared to consider when the time comes. I should not be justified in asking from the right hon. Gentleman at this moment—and I do not think it would be for the public interest that at this moment I should endeavour to obtain from him — any further understanding. As I understand the question between the right hon. Gentleman and myself, it is this: that he does not wish us to proceed to-day with the Resolutions; but I think I understood him to say that he would give me the earliest day which, with a reasonable regard to the convenience of public affairs, he can. I have no doubt that will be a very early day; and certainly those who think they have got in hand matters of very substantial and profound public interest and importance ought to be exceedingly loth to enter into conflicts with the Government on questions that are merely verbal or slight. I have only to say that I accept the offer of the right hon. Gentleman. I will not make the Motion of which Notice stands in my name for this evening. The right hon. Gentleman will have better means than perhaps I have of judging whether the discussion on the Resolutions is likely to occupy any extended time. Whether it is or it is not, of course my duty remains the same. I own that I think the view of the right hon. Gentleman that the second and third Resolutions are corollaries to the first Resolution is a sound and just view; and I therefore hope they may speedily receive the assent of the House in Committee. And when the Resolutions have been so assented to, of course it is obvious that the next step, and a very important step, will rest on the responsibility of Her Majesty's Government. I do not think it would be becoming in me to anticipate the time and the manner in which they may be likely to discharge that responsibility. All that I feel it necessary to say is that, as far as my conviction, and as far also as my intentions are concerned, our duty appears to me to be clear: to make no immoderate proposal, to discern carefully the limits, within which, at the present time, our action ought to be confined; but, having to the best of our judgment and ability defined those limits, and having been supported in the views, which we have thus far taken, by the voice of an overwhelming majority of this House, to persevere in every due and regular step that is necessary to insure the progress and the passing of the Bill, of which we shall have to speak when the proper time arrives, for the purpose of suspending appointments in the Irish Church.

Mr. CONOLLY said, that, to put himself in order, he would conclude by moving the adjournment of the House. He was sorry that the right hon. Member for South Lancashire (Mr. Gladstone) did not agree with him that the precedent set by Lord Palmerston in 1857 was strictly applicable to the present occasion. But those who had the misfortune to come from Ireland and to represent Irishmen in that House felt, as they thought they had a right to feel, a deep interest in the present question; and when the right hon. Gentleman the Member for South Lancashire, said it was not in their power to appeal against the decision of Thursday night, he must tell him that the abstract Resolution which had been affirmed by a large majority was in itself a great injustice to the cause which the right hon. Gentleman had in hand, and also to the Irish people. He appealed to the right hon. Gentleman, whether to bring before a moribund and self-condemned Parliament a question of such vital importance to the Irish Church was not in itself an unstatesmanlike act, and whether it did not justify those who wished to maintain that Church in appealing against the adverse decision to which he had referred? They had no chance in the present Parliament; and therefore he, for one, called on their Leader altogether to reject its conclusions on that question, and appeal to the justice of the people of England. What was the use of the Reform Bill and the enlarged constituencies if they were to be tied and bound to the decision of the right hon. Gentleman with a faction at his back? Those who stood by the institutions they had inherited from their forefathers would not give them up because the right hon. Gentleman had been enabled for that occasion to re-unite his scattered band of adherents to oust the present Government. He said that their trusty Leader on that (the Ministerial) side, at all events, had their confidence in the course he had taken. If there was a difficulty in the present state of affairs, the right hon. Member for South Lancashire was to blame for it; because he had brought forward in a dying Parliament a question, the decision upon which bound no man in the three kingdoms. That decision was null and void. They would have none of it; they appealed against it to the real and enlarged constituencies; to the more honest, and, as he believed it would prove to be, the stronger portion of the people of England. The hon. and learned Member for Clare (Sir Colman O'Loghlen) had analyzed the Irish vote on that Question unfairly, stating that 56 Irish Members had voted for the right hon. Member for South Lancashire, and 45 against him. But if they looked into the matter more carefully they would find that the 45 Irish Members who voted in the minority represented very nearly double the number of constituents that was represented by the Irish Members who voted with the majority. Therefore, as far as the Irish vote was concerned, it was substantially against, and not in favour of, the right hon. Member for South Lancashire, who for factious objects alone, and through his greed of power, had brought about that crisis. The question affected not merely the Irish Church, but the Act of Union; for, if the Article referring to that Church were repealed, what would the other Articles be worth? Thus there was more than appeared in the proposals of the right hon. Gentleman.

THE SPEAKER said, it was out of order for the hon. Gentleman to discuss the Irish Church Question, or to refer to past debates.

MR. CONOLLY said, he would cheerfully bow to the right hon. Gentleman's decision; but he had felt himself called upon to state that the Irish regarded the recent vote as grossly unjust.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Conolly.*)

MR. LOWE: I wish, Sir, before we pass from this subject, to be allowed to call attention a little more closely than has hitherto been done to the statement of the right hon. Gentleman as to his interviews with Her Majesty. I understood the right hon. Gentleman to say—and if I misrepresent him I hope he will be kind enough to correct me—that he advised Her Majesty to dissolve Parliament at once and to appeal to the old constituencies that are to be displaced by the Reform Act, and that he offered Her Majesty as an alternative that the Government should resign. "In fact," he said, "we tendered our resignations." Her Majesty, however, as I understand the right hon. Gentleman, refused both those propositions. She refused to dissolve Parliament at once, and she refused to accept the resignation of the Government. But, having refused these two things—I do not quite comprehend how it came about, for whether the suggestion proceeded from Her Majesty or from the right hon. Gentleman is left in ambiguity—somehow or other it came about that the proposition which the right hon. Gentleman is entitled to make to the House is that he will dissolve, referring the question to the new constituencies, and he thinks with the co-operation of the House that may be done in the autumn or winter. Now, what I want to point out to the House is that this is a most fallacious way of representing what has really occurred. The right hon. Gentleman's proposal to refer the matter to the old constituencies was a real, *bonâ fide* proposal. Whether it was a wise one or not I am not going to say; but to say that he comes down to us with a dissolution in his hand, authorized by Her Majesty, and that that is the result of the division the other night, is merely trifling with the House. Why, what would have happened if the Irish Church question had never been raised and there had been no division? The right hon. Gentleman would, with the assistance of the House, have passed his measures during the Session, and would, as we all understood, have dissolved as soon afterwards as possible, so that a new Parliament might meet next spring. Well, Sir, there have been two adverse divisions, there have been large majorities against the Government, yet what does the right hon. Gentleman announce to us? That he is going to do precisely what he would have done had those divisions not occurred. I took note of the words of the hon. Member for Donegal (Mr. Conolly). The House smiled when the hon. Member said he treated the divisions as null and void, but he was only following his Leader, for that is precisely what the right hon. Gentleman does. He treats the solemn decision of the House, on a question which he himself characterized before the division as of the last importance, as mere air, absolutely making no difference whatever in the course which the Government meant to adopt. The statement about a dissolution being resolved upon in consequence of the division is a mere blind and delusion; for there would have been a dissolution in any case, and the two decisions of the House have had no weight whatever in the Councils of Her Majesty's Government. The right hon. Gentleman treats us as persons whose decisions are absolutely insignificant, making no difference whatever in the decisions of Her Majesty's Government, except that they have lost us a day of the Session, and given the right hon. Gentleman the trouble of a trip to Osborne and back, and of coming here to mystify us with this story of a dissolution. That is the way in which he treats the House. How does he want us to treat him? He says "In order that we may carry out this we count upon the cordial co-operation of the House." Cordial co-operation? how has it been deserved? What has the right hon. Gentleman done that he should have a right to count on our cordial co-operation in anything? He tells us in one breath that what we do is absolutely null, and asks us to trust a Government not only in a minority, but branded with the want of confidence of this House, to carry measures re-modelling the Constitution in two of the three members of the United Kingdom. That is the position he takes up; but, as my right hon. Friend the Member for South Lancashire (Mr. Gladstone) says, it is more for his consideration than ours; our business is to go straight on. I could not, however, forbear from pointing out to the House how entirely they are mystified if they suppose that any change whatever has been wrought in the counsels of the Government, or any new element at all introduced into those counsels by the Resolution we came to. We are asked, not for a few weeks, while the necessary business is got through, and while preparations are made for a dissolution, but for nine or ten months at the very least to place the whole Government of the country in the hands of persons who neither trust Parliament nor are trusted by it. In their hands during the remainder of the Session are to rest these important measures—the Scotch Reform Bill, the Irish Reform Bill, the Boundary Bill, the Bribery Bill, and all questions of finance; while during the Recess they are to enjoy in the same way the power of directing the foreign policy of the country and military affairs, and of exercising all patronage and everything else: and why? Simply on account of the abstract right they assume to have a dissolution, which abstract right is so cogent that it will survive for nearly a year the time when the possibility of amicable action between them and the House has come to an end. No doubt, if the Earl of Derby, true to his principles and to the declarations of his political life, had on his accession to Office asked for a dissolution in order to take the opinion of the country, nothing could have been more fair and just; but when, instead of adhering to the principles of their party, the Government adopt the principles of the majority opposed to them, and constitute themselves the servants of the House, what right have they to ask an appeal to the country, against a House whose will they have carried out? If ever the right existed it was certainly forfeited by the transactions of last year. If ever there was a case in which we ought to insist on the rule that a Parliamentary majority and not a minority should govern, that case has arisen at the present time. I can imagine nothing tending more directly to put an end to Parliamentary government as hitherto existing in this country than that a Government, defeated in April under such circumstances as these, should be allowed, on account of difficulties of their own creation—for they arise out of the Reform Bill—to remain in Office till February, March, or April next. On what principle of constitutional government, I ask, can such a thing be justified? A Government may be justified in not going out immediately on being defeated, while preparing for a dissolution; but to remain in Office for nearly a year without anybody's confidence that I know of cannot be justified on any constitutional principles.

MR. NEWDEGATE wished, as an Independent Member, to remark on the statement of the right hon. Member for South Lancashire that the Irish Church question had no reference to the question of a dissolution. The Government had been taunted with being a warming-pan Government, and the right hon. Gentleman now argued that the Government, having acceded to Office while in a minority, were bound to carry out the will of the majority. If that doctrine were to prevail, it would give him, as Leader of the Opposition, the power of forcing through Parliament—it might be in defiance of the opinion of the country—any measure, which he might unexpectedly bring forward, as a Member of the Opposition, and therefore without responsibility, using the Government as his agents. Such a practice, he contended, would be a flagrant violation of the Constitution. The right hon. Gentleman opposite was evidently not an advocate for triennial Parliaments, since he had condemned the Prime Minister for having appealed to Her Majesty in favour of a dissolution as one of the alternatives he had submitted. Thus, the right hon. Member for South Lancashire virtually proposed to suspend the Constitution for so long as the present Government remained in Office. A House which had deliberately condemned itself as not sufficiently representing the people was not entitled to pass any other measures than those necessary to complete our representative system. Yet during this constitutional interregnum the right hon. Gentleman had unexpectedly brought forward a proposal to disestablish and disendow the Church in Ireland, having in the Session of 1866 walked out of the House, and refused to countenance that proposal. The right hon. Gentleman's complaint was that the head of the Government, acting in the spirit of the Constitution, on finding himself in a minority on this question, had submitted for the decision of his Sovereign whether the Government should resign, or whether this great issue should be referred to the country. There was no ground of complaint in this ; unless it were that the Government did not insist on appealing to to the constituencies, which they themselves had condemned, and four-fifths of which had by statute been declared not adequately to represent the national convictions and will. He saw no feasible or constitutional course except that which the Government, had recommended to Her Majesty, and he trusted, that the Government would abstain from proposing measures touching the Constitution, or any others than those necessary for completing the representation of the people. And as soon as those measures had passed, and the ordinary requirements of the public expenditure had been provided, the Government were bound to submit to the nation the great issue that had been raised by the right hon. Gentleman upon the Irish Church. Any other course would be unconstitutional. He could not but think that the course pursued by the right hon. Gentleman (Mr. Gladstone) implied anything but a confidence on his part that the constituencies when appealed to would affirm the decision of the majority of the House of Commons.

Mr. CRAWFORD said, he understood the First Lord of the Treasury to have stated that, with the assistance of the House, the Government would be able to take a dissolution of Parliament in the autumn. Now, the Reform Act of 1867 would not come into operation among the new constituencies until January 1, 1869, and he wished to know whether the right hon. Gentleman proposed that the House should assist him by amending the Reform Act so that a dissolution might take place in the autumn ? No doubt many new questions would be raised before the Revising Barristers which would result in appeals to the Court of Common Pleas. Many difficult questions might arise, and any course such as the right hon. Gentleman had indicated would thus be productive of great personal inconvenience.

Mr. AYRTON said, that, before the right hon. Gentleman answered that question, he should be glad if he would give his (the Opposition) side of the House some better and clearer explanation of the position in which the Government stood, not only towards that House, but towards Her Majesty herself, because he had left the House in considerable doubt as to whether public affairs were now to be carried on under his advice and responsibility as a Minister of the Crown, or whether they were being carried on under the advice and responsibility of Her Majesty. If he understood the right hon. Gentleman correctly, he had placed two alternative propositions before Her Majesty for her consideration ; but when two propositions were placed before the Sovereign it was obvious that a Minister shifted from himself the responsibility of taking either one or the other, and put the entire responsibility on the Sovereign to whom he gave such equivocal suggestions and advice. It seemed that Her Majesty was embarrassed by not having the clear advice of her Minister; and it was not very apparent whether Her Majesty suggested that something else should be done, or whether her Minister suggested it to the Sovereign. If so, the right hon. Gentleman must have put three courses to Her Majesty, and left with her the responsibility of deciding which course should be adopted. That state of things was a very serious perplexity to Gentlemen on his side of the House; for they did not know whether they might not be taking a course which was not only contrary to the views of Her Majesty's Ministers, but to the views of Her Majesty herself, which had been brought before the House in so extraordinary a manner. The matter was one that might exercise a very material influence over the minds, not only of Memmers of that House, but of the entire country. According to one portion of the right hon. Gentleman's statement, he appeared to be a suffering Minister, who was holding Office by the wish of the Queen, for the benefit of the people. A Minister in that position carried with him an enormous amount of sympathy, and throughout the whole country such a suffering Minister must receive an assistance and support which would not be accorded to a

Minister who held Office on his own advice and responsibility against the twice-repeated judgment of the House of Commons. The House was entitled to know whether the right hon. Gentleman and his Colleagues sat upon that Bench upon the undivided responsibility of Ministers of the Crown, without any reference to the views and opinions of the Sovereign herself. To impose upon the House any other state of affairs was unconstitutional, and might lead to the most disastrous consequences. The right hon. Gentleman not only left the House in this ambiguity, but in the name of the Sovereign he tendered a kind of bargain to the House of Commons, and a bargain of the most marvellous character. A great majority of the House, after protracted debates, having come to the conclusion that a certain course of policy was necessary, this majority was to be declared merely nominal, and its conclusion to be set aside. And what was to be the consideration for such an abdication of duty on that side of the House — that the right hon. Gentleman should for eight or nine months have at his disposal the whole power and influence of the Executive Government and the patronage of the Crown for the purpose of defeating the policy which a majority of that House had deliberately adopted? That was a most extraordinary bargain to propose; and the right hon. Gentleman must have supposed that his right hon. Friend the Member for South Lancashire (Mr. Gladstone) was in a state of unusual weakness, if he imagined he would entertain such a proposition. He was glad that his right hon. Friend would have nothing to do with such a suggestion, and that he had met it in the way he had done; for his duty was to go steadily forward with the policy he had enunciated, and to bring it to a legitimate conclusion in the present Session. He thanked his right hon. Friend for entirely repudiating the offer of Her Majesty's Ministers. Such a course would have been impracticable, and unworthy the acceptance of the majority of the House. The duty of the Opposition was to assert and to re-assert that essential policy which would alone secure the pacification of Ireland; and if Ministers desired to remain in their places they must accept it, and do the work of that (the Opposition) side of the House. There must be no flinching from that; and if the Government declined to accept the situation, then they must proceed upon their own undivided responsibility, and not shift or cast it upon the august Sovereign whom they ought to serve, but whom in reality they did not serve when they thus brought Her Majesty's name into question.

MR. CHILDERS said, that the right hon. Gentleman at the head of the Government had stated that it was his intention to propose to Parliament some legislation which would enable a dissolution to take place in the autumn. Now, strictly speaking, the autumn did not end until the 21st of December, and as, by the Act, the new registration would not be in force until the 1st of January, 1869, he wished to ask the right hon. Gentleman—not to fix the day—but to state at about what time he contemplated going to the country to a General Election; and, further, whether the new Parliament would be called together as soon as it was elected?

MR. BOUVERIE: Sir, I must raise my voice, humble though it be, against the continuance of the present most mischievous, anomalous, and unconstitutional state of things. The right hon. Gentleman two months ago announced that he had been authorized by Her Majesty to assume the first place in the Government of this country, and as First Minister of the Crown attempted to indicate the policy that he meant to pursue. By way of making it clear, he said that policy would be the policy of the Earl of Derby. Considerable doubts were entertained at the time as to what this policy of the Earl of Derby meant. But now, I apprehend, we have some further information on this subject, because the Earl of Derby has recently indicated his policy on the question which is now before Parliament, and, as I understand it, the right hon. Gentleman's Government have exactly followed the counsels of the Earl of Derby. The policy of those counsels appears to be to try and set the two Houses of Parliament at loggerheads with each other, and to put this House of Commons at variance with the Crown. Now, it is a most essential part of the working of our Constitution in modern times that this House should be in harmony with the Crown. In ancient times we had perpetual quarrels and differences with the Crown, and for more than 100 years those quarrels continued. They were of the most portentous character, for there were two rebellions, three revolutions, and one change of dynasty before we got the system of government into the right groove, and established that mode of government which brought the Crown into constant harmony with the House of Commons. That mode of government was that the majority of the House of Commons gave their confidence to the Government, and the Government represented the Crown, and in that way there was a permanent cessation of all variance between the House of Commons and the Crown. But, if the views now expressed by the right hon. Gentleman opposite are to be followed out, no long time will elapse before there will be a renewal of those differences between the Crown and the House of Commons which all who take an interest in the good government of the country must have hoped had ceased for ever. The right hon. Gentleman attempted to lay down a most startling doctrine, on which my right hon. Friend below me (Mr. Gladstone) has most justly animadverted—that a Ministry were entitled to a dissolution, and that, when defeated on some great question, they might keep that right of dissolution, as it were, in their pocket until a convenient season, and threaten the House of Commons with it. Against such a doctrine I, for one, protest. For 100 years after the Revolution it was an admitted axiom in this House that when the Government of the day could not command a majority in the House of Commons on great questions of policy there should be a change of Administration. A new rule was, however, introduced at the time to which my right hon. Friend below me alluded—during the first Government of Mr. Pitt, in 1784—which has been clearly laid down by high constitutional authorities. I will read to the House the opinion on this point of one whom many of us knew, whom some of us loved, and whom, I am sure, we all respected — I mean the late Sir George Lewis. He says in his book on the *Administrations of Great Britain*—

> "It was not, in fact, definitively and clearly established until the year 1784, that where there is a conflict between the personal opinions of the Sovereign and those of a majority ofthe House of Commons the latter and not the former is to prevail, unless, indeed, a dissolution and a new election should reverse the decision of the previous Parliament."

He then goes on to quote the opinion of Earl Russell, than whom there is no better authority on Constitutional Law, who says—

> "The precedent of 1784, therefore establishes this rule of conduct, that if the Ministers chosen by the Crown do not possess the confidence of the House of Commons they may advise an appeal to the people, with whom rests the ultimate decision. This course has been followed in 1807, 1831, 1834, and in 1841."

Now, what, let me ask, is the difference between that course and the course which the right hon. Gentleman opposite informs us the Government are going to pursue? He does not tell us that the business of the Session is to be wound up immediately, and that the dissolution will take place at once. He simply says, "There is to be a dissolution at some future time to enable the constituencies to pronounce an opinion on the question at issue between the two sides of the House, and to return new representatives, and because that opinion cannot now be given, in consequence of the new constituencies not having yet been called into existence, we shall continue in Office until their opinion can be given, and shall carry on the affairs of the country, in spite of an adverse majority of the House of Commons." This, I contend, is an entirely new rule which the right hon. Gentleman seeks to establish, that because some difficulty exists in the way of a dissolution at the present moment the Government are nevertheless to remain in Office under all the circumstances of the case, and to exercise all the powers of an Executive. It is, in short, an advance on the doctrine of power to dissolve greater than has been made since the Revolution, and which the House would do well, I think, to regard with the greatest jealousy. And what is the precedent to which the right hon. Gentleman referred us, with bated breath, when dealing with this point. He tells us, "It is true we are in a minority, and much has been said on the inconvenience which results from such a state of things, but we have a great authority in our favour—no less an authority than that of Earl Russell, who, when he was first Prime Minister, took the reins of office, although in a minority, and held them for five years." Now, what, I would ask, are the real facts of that case? Earl Russell became Prime Minister when Sir Robert Peel resigned in 1846, and was avowedly supported by that distinguished Statesman and his Friends. There was no adverse division against Earl Russell's Government during the remainder of that year, and I may inform the right hon. Gentleman that it is a constitutional doctrine that a Ministry which comes into Office, although in a minority, is entitled to have a fair trial. When the Administration of Mr. Addington succeeded that of Mr. Pitt, Mr. Pitt, although they were in a minority, argued with great force that, having been intrusted with the conduct of affairs by the Crown, it was but right that a fair trial should be given them. I may add that in the case of Earl Russell's Government the right hon. Gentleman seems entirely to forget that that Government having taken Office in 1846, there was the very next year a General Election, and that a majority was returned by which it was supported until 1852. I venture to say that the position into which the right hon. Gentleman is driving the House is most unsatisfactory and mischievous. All the machinery, by means of which our business is conducted, is turned topsy-turvy The theory of our Parliamentary government is a very simple one. The Government propose certain measures, which they recommend for the adoption of the House of Commons, and it is the duty of the House to criticize and control the Government. In that way the public business is fairly conducted, and truth is, on the whole, arrived at. But now this state of things is about to be reversed. Her Majesty's Ministers must propose measures either in accordance with their own principles or with those of the Opposition. If the former, they are liable to be at once checkmated, and the conduct of business is not likely to be such as will be conducive to the welfare of the people. If, on the other hand, with a view to securing our support, they do not resist any measures which we bring forward, then we have no legitimate Opposition; the proper counterpoise of the Constitution is lost; there is no fair discussion, and measures pased under these circumstances are likely to prove entirely unsatisfactory. It is hopeless to expect to escape from this dilemma under the state of things which the right hon. Gentleman proposes for acceptance; and if he persists in the course which he has this evening shadowed forth, he will add nothing to the credit of his own Government, while he will create great mischief in the administration of the affairs of the country.

MR. DARBY GRIFFITH said he thought the right hon. Gentleman opposite (Mr. Bouverie) had misrepresented the constitutional history of the country, in stating that from that history no precedent could be adduced of a Minister, who having the confidence of the Crown, but being in a minority in that House, continued to hold office. Now, that was the position of Mr. Pitt, who assumed the reins of government on the 18th December, 1783, not by any proceeding of his own, but on the dismissal by the Sovereign of the Coalition Ministry. Between that time and the dissolution which took place in March, 1784, Mr. Pitt was in a minority ten or twelve times. He afterwards appealed to the country on the ground that the House did not represent its opinions. He held Office till the country had become aware of the course intended by the House, and, looking at the result, he was justified in what he did. The hon. Member proceeded, amidst continued interruption, to compare the position of the right hon. Gentleman at the head of the Government with that of Mr. Pitt, and concluded by reminding the House that Mr. Pitt persisted in his course until he had reduced the majority of the Opposition to 1, when he dissolved Parliament, and obtained an overwhelming majority from the country.

MR. BRIGHT: Mr. Speaker, notwithstanding the reply which the right hon. Gentleman the Member for South Lancashire has made to the observations of the First Minister of the Crown, and the speeches that have followed, I think there are still some things that may with advantage be said before this debate closes. I believe that some Members of the House received the observations of the right hon. Gentleman opposite with surprise, and that some received them with astonishment. I am not sure that the feeling of astonishment will not prevail throughout the country, and that it will not be expressed for many years to come by those who look back upon the transactions of this period. The right hon. Gentleman asks us to overturn the long-existing usage of Parliament; he asks us to disregard that which is the first principle of our Parliamentary action. I am not stating this a mere matter of my opinion. I say that, apart from party considerations, there is not a Member of the House of Commons who will differ from me in the opinion I now express. He asks us to do this to maintain in Office a Minister who acceded to Office by arts which, in my opinion, were not the most worthy in their character, and who has maintained himself in Office by adopting—so far as he has adopted any policy—a policy utterly at variance with everything he professed when in Opposition. The right hon. Gentleman says—and some of his friends say, and I suppose think, that there is a disposition to do him and his Administration some injustice—[MR. NOEL was understood to dissent.] But some of those on the other side talk as if we were doing the right hon. Gentleman some injustice. Now, two years ago a Government had been in Office eight months. It brought in a Bill perfectly consistent with its principles, and that Bill and that Government were assailed by the right hon. Gentleman and his Friends with no ordinary virulence. The result was that the Bill was rejected, and the Government was overturned. If any Government ever had a right to dissolve Parliament, I believe that Government had; but, acting on a scrupulous feeling, which I should say was somewhat too sensitive, that Government did not dissolve Parliament; they retired from Office. At that time I believe Her Majesty the Queen was anxious they should retain Office, and gave them her full consent, if they thought right, to dissolve the Parliament; they did not dissolve the Parliament, but retired from Office. That having taken place, the right hon. Gentleman treated certain Members of the House who had made a compact with him in a manner that was not thought by them very fair or honourable. The Session was wound up, and in 1867—the year afterwards—the right hon. Gentleman and his Government met Parliament, and in the course of that Session repudiated their allies, hooted their principles out of the House, and brought forward measures wholly opposed to their former principles, and, in point of fact, instead of any longer resisting a moderate proposition such as that of the Government of Earl Russell, they themselves advanced a proposition more extensive than that which, in the past year, they declared to be subversive of every Conservative institution of the country. Now, I will take care not to exaggerate anything. I will not describe what took place during that Session—I should raise a blush on the cheeks of some hon. Gentlemen opposite, and I would not do that. But I pass from the Session of 1867 to the autumn and winter of that year, and during that time, as hon. Gentlemen are aware, there was a grave manifestation of discontent in Ireland; there was great alarm through every part of the United Kingdom; there were troops pouring into Ireland continually; there were Commissions specially appointed to try offenders; there were State trials in abundance—at this moment there are, I believe, about 100 men undergoing sentences to various terms of penal servitude for their offences, and, more than that, some men suffered death by the hands of the executioner, for offences arising from circumstances springing out of discontent in Ireland. Well, now, the noble Lord the Member for King's Lynn (the Secretary of State for Foreign Affairs) who has the most impartial and dispassionate judgment, probably, of any of the Members on that (the Treasury) Bench, and of whom the right hon. Gentleman has to-night spoken in terms of praise which I will not say were exaggerated—this noble Lord said in the winter, only just before the meeting of Parliament, that the question of Ireland was "the question of the hour." Well, Sir, what happened when the House met? Why, this happened; a noble Duke, I believe, in the other House of Parliament—["Order."]—the other House of Parliament speak of us freely, and I know not why we may not refer to them. A noble Duke said that the policy of the Government with regard to Ireland was about to be explained in this House; and it was explained on a memorable evening by the noble Earl the Chief Secretary for Ireland. The noble Earl on that occasion, as we have reason to remember, made a speech extending over three hours and twenty minutes by the clock. He explained to us their policy, and I maintain that it was a policy of evil. The right hon. Gentleman the Prime Minister has entered into this subject at greater length than I shall, but I shall make one observation upon it. The policy which he shadowed forth was this: that he would pay the Roman Catholic Church in Ireland—he would endow it; that he would charter and endow a Roman Catholic University; and that he would pay an increased, a double sum, as *Regium Donum* to the Presbyterians. He was anxious to maintain the Established Church in Ireland to teach Protestantism, but, at the same time, he was willing to endow a University which should bring up the young men of the laity of Catholic Ireland firmly grounded in the tenets of the Roman Catholic religion. Now that was a policy that did not agree with the opinion of this House, nor did it receive, as far as I can judge, the slightest support from any section of the people of the United Kingdom. Well, Sir, what followed naturally from that? Why this—the right hon. Gentleman the Member for South Lancashire, speaking as the organ—the mouthpiece—and the Leader of the majority of this House, brought forward a counter policy, and a policy which I venture to say, has met, to a degree which many hardly anticipated, the approval of this House, and which is every week and every day receiving testimonials of approval throughout the country. Now, the right hon. Gentleman at first did not know very well how to meet this. The course he took was to put up—or to permit—the noble Lord the Member for King's Lynn to move an Amendment; and that Amendment, brought forward by a Minister second only to the Prime Minister in importance was flatly refused by the House, which rejected it by a majority of no less than 60 votes. And let me remind the House that more than one-half of all its Members voted in oppostion to the Amendment. Well, that is not a pleasant thing for a Government, though an adverse vote is not necessarily a humiliation to a Government. But I say that it is a great humiliation to a Government if it persist in clinging to Office after a vote of that character. Well, but the right hon. Gentleman came down to the House after the Recess, and he put on a kind of no-meaning, nothing-intending countenance, and proceeded with the business of the evening as if he positively never heard that there had been an adverse vote against his Government; and by-and-by, having got into Committee, the first Resolution was proposed, and the majority of 60 had swollen to 65. Now what has been the course—and I put it to hon. Gentlemen opposite—I put to any Member of the Government—of every Minister in our time—under any circumstances, I will not say like these, for there have been no circumstances exactly like these, but under circumstances approaching to them? I will not go back further, although I could, than the Reform Bill, and I say take the Government of Earl Grey, or the Government of Lord Melbourne, or that of Sir Robert Peel, or the first Government of Earl Russell; that of Lord Aberdeen, Lord Palmerston's Government, or the second Administration of Earl Russell, and taking these Governments, tell me if the Minister has not taken as his rule the decision of Parliament, and when he has lost the confidence of the majority of the House, as shown upon any matter of importance, he has in accordance with constitutional practice withdrawn from the Treasury Bench? I should like to ask why we are to depart from this practice now? I should have been very glad to have heard the right hon. Gentleman the Prime Minister give a fair reason; for that would have made it unnecessary for us on this side to call in question the position which he has assumed. The proposition is that the right hon. Gentleman and his Friends should be about twelve months more in Office. Well, I do not quite understand the proposition for a dissolution in the autumn. I doubt very much whether it be possible. In any case it will be so near the winter as to be greatly inconvenient, and I shall be somewhat surprised if it can be accomplished. I want to ask some one to tell us why we are to depart from Parliamentary usage, and from the acknowledged principles of our constitutional practice, for the sole purpose—there is no other purpose whatever that has ever been indicated in connection with it—of keeping the right hon. Gentleman and his Friends on that Bench. Can you give us a reason; can you give us an argument; can you give us a fact; can you even give us a decent pretence for it? Why, Sir, we saw this morning in a journal, which has a constant small *liaison* with the right hon. Gentleman at the head of the Government, an article indicating the course which the right hon. Gentleman was likely to pursue. There was not the word "communicated" at the head of the article; but I dare say it was written after due consultation. What that article says is this:—"The Ministry can do nothing"—that is, between now and the General Election—"and the succession of the Opposition to power immediately after the General Election is certain." Well, now, I would not assert anything of the kind, although the general opinion, I believe, in the House and in the country is, that it is highly probable. But as this comes from a great friend of the right hon. Gentleman, it probably expresses the opinion of the Government. ["Order!"] When I say great friend, I mean the friend who serves the right hon. Gentleman and his Friends almost every morning as well as he can. But, Sir, there was one reason given by this journal for what it advances which must create some amusement, and it is that, after the eight or nine months between this and the spring of next year, the Opposition will be much more prepared, it will be much riper, it will be found out who are the proper men to take Office, and that of the score at least of Gentlemen who expect to be in the next Cabinet, the expectant Prime Minister will have time to make a suitable selection; and that in the meanwhile the Government which is now in Office, being absolutely powerless as a Government is to take upon itself to perform the duties of an Opposition. The right hon. Gentleman the Secretary of State for India in one of the debates—the debate, I think, before we went into Committee—told us—it was about midnight, but still we listened to him with attention—that the action of the party to which he belonged would be to resist the Resolutions of the right hon. Gentleman the Member for South Lancashire step by step. They would resist going into Committee, and if they were beaten they would resist the First Resolution, and the Second Resolution, and the Third Resolution; in fact, they would take the part of Opposition, and, while recognizing the superior power and authority of the right hon. Gentleman and those who support him, they would, to the utmost of their power, resist that authority. Now, I recollect Sir Robert Peel once addressing a Whig Government in very serious language. He told them that if they could come before the House with the authority of an united Cabinet, he thought what they had to recommend might be received with more attention. Is there any Gentleman in this House now who has ever seen since he sat in this House a Ministry that was so entirely chaotic with regard to a question of great public policy like that which is before us as is the present one. Why, when the noble Lord the Member for King's Lynn made his speech, Gentlemen that I see opposite sat almost aghast; but when the right hon. Gentleman the Secretary of State for the Home Department rose to answer the Secretary of State for Foreign Affairs, and his voice resounded through the House with the old ring of Protestant ascendancy and "No surrender," the countenances of those hon. Gentlemen brightened, the gloom left them, and they became as exhilarated and excited as I have seen them on so many occasions when they have been in the wrong. Well, Sir, I say that if you take the speeches of the Foreign Secretary and those of the Home Secretary, the Secretary for India, the First Commissioner of Works, and the right hon. Gentleman at the head of the Government, you will not be able to make out distinctly what would be the general result, the net result of all their opinions if you could put them together. And then again, if you were to take the opinions of many other hon. Gentlemen opposite who have not spoken, you would find that they differ to a large extent from all the propositions shadowed forth by the Government, and from many of the opinions expressed on their own side of the House during the debate. Well, but we are advised to go on as we are, because we shall not get the Scotch Reform Bill, and the Irish Reform Bill, and the Boundary Bills passed if we do not. But the right hon. Gentleman knows perfectly well that he cannot pass the Scotch Bill as it is. A majority of the House intends to pass a Scotch Bill which shall accord with the opinions of those Members of the House from Scotland who are in favour of Reform; and I may say the same of the Irish Bill, for I understand that the Irish Members are prepared to make, or have made, certain propositions with regard to the Bill, and that Gentlemen on this side of the House, perhaps with an entire unanimity, will support the Amendments which they are prepared to submit. I am of opinion that both of these measures would be much better carried by a Government really in favour of Reform—because it is absurd to say that the Government which prepared these two Bills were in favour of any honest measure of Reform either for Scotland or for Ireland. ["No!"] Hon. Gentlemen opposite for either Scotland or Ireland who are not Reformers have no right and no reason to contradict me. I did not include them in my statement. I was speaking of Gentlemen on this side of the House who wish for an honest, or what the right hon. Gentleman the present Prime Minister called last year "a sincere," measure of Reform. I believe that both these Bills would be infinitely better in the hands of a Government representing a majority of the House and being Reformers, than in the hands of the right hon. Gentleman opposite, and the supporters who sit behind him. But now the real difficulty which the course of the Ministry is bringing us into is one of a much more serious character, and I would ask the attention of the House—even of those who do not agree with us—to this. I wish to put it to them whether the point I am about to raise is not one of some importance. I will assume that what has been said by the newspaper from which I quoted is true, and that the Government could not expect a majority after the next Election. The passage is this—"The succession of the Opposition to power immediately after the next Election is certain." Now, I assume that to be true. I do not assert it, but everybody thinks that it is true, and I do not like to run counter to general opinion. Now, if this is to be so, and if we, as the majority of the House, permit the right hon. Gentleman and his Colleagues to remain in Office during the rest of this Session, I undertake to say that the Irish Church question—I speak now of the Bill which is to finally settle it—cannot even be grappled with by the House until the Session of 1870 — two years from the present time. The calculation is very simple. If the right hon. Gentleman, unhappily, as he would think, should be turned out of Office in the spring of next year, I presume that some Gentlemen who sit below me will take the place of himself and his Colleagues. When they come into Office in the middle of the Session, it is quite obvious that they cannot during the Session undertake the settlement of the Irish Church question. They come in in February, or March, or April. They have no time, with the business of the Session on their hands to go into the necessary inquiries, and discussions, and deliberations, which will be extensive in character, and often of a most delicate and difficult nature, for the purpose of preparing and submitting to the House a comprehensive measure for the settlement of this great question. [AN HON. MEMBER: They are going to do it now.] The hon. Gentleman is mistaken. What they are going to do now is to lay a foundation for what is to be done hereafter. If the right hon. Gentleman at the head of the Government were now to say that he agrees with us on the question of Ireland, and on this Church question, and that he intended at the earliest possible period to introduce this measure to carry out that intention, I should not blame him in the least if he said he would require an autumn and winter Recess to prepare a measure of this magnitude and of this delicacy to submit to the House. Any Minister would require that length of time for doing so, and therefore, if the right hon. Gentleman the Member for South Lancashire at any time during the next Session of Parliament, were to come into Office according to the prediction of this newspaper, what will happen? That he cannot, during that Session of 1869, attempt to settle this question. He will require the autumn and winter of 1869 to prepare a Bill, and therefore the final measure on the Irish Church cannot by any possibility be introduced to the House before the Session of 1870. Now, I hope no hon. Gentleman opposite will disagree with me when I say that, if this matter is to be done at all, a delay of this kind is not only very unfortunate, but it may be perilous. An hon. Baronet on the other side of the House, the Member for the county, I think, of Londonderry (Sir Frederick Heygate) has spoken on this matter with great moderation, and in a manner, I am sure, which entitles him to the very respectful attention of the House. That hon. Gentleman said that he thought delay upon this matter was dangerous, and that if it was to be done it was very desirable that it should be done soon. And I have heard—I am not speaking of what has been said in debate—but I have heard, on that side, as well as this, expressions of opinion that if Parliament is really in earnest in settling this question, every other thing ought as it were to be put aside for the moment in order that the attention of Parliament might be exclusively turned to it, that the question should be settled finally, as speedily as possible. Now, the Session of 1868 has been, I am sorry to say, so far very unfruitful in legislation. It will not be unfruitful on this Irish Church question if the Resolutions from this side of the House are passed, and if the small Bill which is to be founded upon them should also pass. But the Session of 1869 will be absolutely wasted, as regards the question of disestablishing the Irish Church, if the right hon. Gentleman should remain in Office till some period in that Session, and then should be obliged to give way to his successor, who might be disposed to settle this question, but who certainly could not attempt to do that until the Session of 1870. The hon. Member for Londonderry did not go into detail as to his views; but I understood him to think that if there was delay there might be great animosity created on this matter; that its settlement might involve a penalty in the amount of anger and animosity created which would be a high price to pay for it. But, I say, if you delay the matter for two years after that which the House has now done, you will create doubt and uncertainty and suspicion in the minds of the Irish people, for whom you are about to legislate; and you may find that that satisfactory opinion in Ireland which has been growing rapidly from the moment when the opinion of the House was expressed on this subject, may be changed, and men may say that the Imperial Parliament, though it pretends to legislate wisely for Ireland, doubts and hesitates and delays, and, perhaps, after all, may refuse to do that which during this Session it has been promising to the Irish people. Well, but if we change the Government now—and I am no advocate for a change of Government merely as a matter of change—but if we change the Government now, and proceed with this measure as far as we can in its preliminary steps this Session, and with the final measure next Session, all that is good and that is growing of good in the Irish mind at this moment over the South and West of Ireland will be strengthened and confirmed, and every step you take, and every debate you hold, and every decision which is favourable to them to which you come, will bring some of the wavering thousands and thousands of the Irish people into alliance and sympathy with the Imperial Parliament and Government. Now, Sir, the right hon. Gentleman asks us to give up all this merely that he may remain in Office — [" No, no!"] — well, I maintain that when I have finished my sentence you will not be able to deny its correctness—that he may be maintained in Office until after the dissolution of Parliament. My right hon. Friend behind me (Mr. Bouverie) and some other Gentlemen have referred to that question of the demand of Ministers to have a dissolution of Parliament. I think it is one of the most outrageous propositions, on the principle on which it is demanded on their side, that has ever been made in the House of Commons — why you are making the Government not much better than a number of cricketers, who think that as their opponents have had an innings they should now have an innings. You are not now viewing the question as statesmen or as patriots; for surely no Minister has a right to go to the Crown and insist on or recommend a dissolution merely for the interests of the Minister or of his Colleagues. If he can recommend a dissolution honestly, with the view of supporting the character of the House of Commons, and with the view of ascertaining honestly the opinions of the constituencies, then I hold a Minister may do that any time during his tenure of Office. But now you are asked to reverse all that has been done in past times, to overthrow every principle on this subject which other Ministers have acted upon, and to keep Ministers in Office while the Opposition is in power. I certainly am astounded at the course taken by many hon. Gentlemen opposite. They cannot be satisfied with what has been done during the last two years—neither last year nor this. The hon. Member for North Warwickshire (Mr. Newdegate), I perceive, is not satisfied. I can see even at this distance anxiety pictured upon his countenance. He is ready to ask himself what next, and next. He knows there is no Government, and he knows there is no Opposition. He knows that in that state of things the legislation of Parliament becomes inconsistent and irregular, and tends very often, it may be, to serious evils. Well, now, I do not think it is a satisfactory state of things that the right hon. Gentleman the Member for South Lancashire should sit on this side of the House, the representative of the majority, and the actual Minister in power, while hon. Gentlemen opposite hold to the places of Government, and are themselves quite unable to carry any measure. They cannot resist these Resolutions upon the Irish Church; they cannot carry their Scotch Reform Bill; they cannot, I believe, carry their Irish Reform Bill. I know not that there is anything connected with the Government which they can carry during this Session of the slightest importance, except the passing probably of that very unpleasant thing the addition of *2d.* to the income tax. But, Sir, the right hon. Gentleman and his Friends, if I may quote a phrase which I believe is to be found in Lord Derby's translation of a great poem, are to enjoy the ambrosial provender which is set before those who hold high Office in this country. The right hon. Gentleman has given the House no reason for his claim of dissolution except the interests of himself and of the Government. He has not set before the House that we do not represent the constituencies on whose account we sit here. Nobody denies that. If there be one thing more certain than another, it is that Gentlemen on this side of the House have been compelled rather than otherwise by their constituents during the last month to support the Resolutions of the right hon. Gentleman. And, therefore, on that ground, the right hon. Gentleman opposite has no claim whatever to ask for a dissolution, and no claim whatever to sit as Minister, if that dissolution cannot be granted to him. Lord Burleigh said once—and he was considered a wise Minister—that England would never be undone except by a Parliament. I advise this House of Commons to look very warily as to its steppings and its course under the advice of the right hon. Gentleman at the head of the Government. I see in his course, and in that of his Colleagues, no adherence to any recognized principle—no regard for Parliamentary practice, and no care for constitutional usage; but a resolution that, having acceded to Office, to high Office, to the highest Office under the Crown, he will make every exertion to stick to it until he is actually driven from it by some decided and perhaps some offensive vote of the House. I believe that the right hon. Gentleman's course is not good for the reputation of himself and his Colleagues; that it is very adverse to the character of hon. Gentlemen opposite, and adverse even to the Conservative theories which they entertain; and I believe, at the same time, that it is throughout the whole country damaging to the character of Parliament. And if it damages the character of Parliament, I know nothing that can possibly happen that can be more damaging to the interests of the people of this kingdom.

MR. KENDALL said, he must protest against the assumption that there were only two parties in that House, and, as an Independent Member, he thanked the Prime Minister for the advice he had tendered to Her Majesty; any other course would have been a betrayal of his party. He contended that when the present Parliament was elected, the constituencies had not the slightest idea that the disestablishment of the Irish Church would be mooted, and the Prime Minister had therefore an undoubted right to appeal to the present constituencies. He did not see how they could get out of that. No one dreamt of it when Members were last at the hustings, and all he could say was that, had he been Prime Minister, he would not have hesitated for a moment, and he was only sorry that the dissolution had been delayed so long.

SIR PATRICK O'BRIEN said, he did not think that the Irish Reform Bill could be fairly and temperately dealt with while the House had the chain of an impending dissolution hanging round its neck. He had merely risen for the purpose of expressing an opinion which was shared by many others—that if they were to be visited with a dissolution it would be more becoming and more constitutional that that dissolution should be at once.

SIR ROBERT COLLIER said, he wished to put a question to the right hon. Gentleman at the head of the Government on the subject of the proposed dissolution in the autumn. A great number of important and delicate questions would no doubt arise in the new registrations, questions with which the Revising Barristers had never before had to deal, and on which it would be absolutely necessary that the opinion of the Court of Common Pleas should be taken. Now, that Court did not sit till the 2nd of November, the term was not over till the end of November, and the registration appeals could not be decided before that, even if they were not protracted till the sittings after term, in which case there could not be a dissolution till December, unless it was intended to do away with those appeals. He wanted to know whether the right hon. Gentleman proposed to take that very unsatisfactory course?

MR. DISRAELI: Sir, I am not going to trouble the House at any length, but one or two observations have been made which I must notice. Mainly, I shall speak with reference to what has fallen from the right hon Gentleman the Member for Calne (Mr. Lowe) and others with regard to the audience which I had with Her Majesty. Now, what occured with regard to a dissolution or resignation was simply this—that Her Majesty's Ministers advised Her Majesty in the present state of public affairs, and mainly to obtain the opinion of the country upon the great question at issue, to dissolve Her Parliament, but at the same time they stated that if that course were embarrassing to Her Majesty they would tender their resignations. Her Majesty did not accept our resignations, and gave her unqualified assent to a dissolution of Parliament without the least reference to old or new constituencies. It was, as I thought I had distinctly shown at a subsequent period—and speaking with reference to the difficulty of this matter of dissolving at the time most convenient to the public interest—that I adverted to the peculiar and unprecedented circumstances, and in so doing I was acting under the representation which was made to me shortly before I went to Osborne by a Gentleman well known and deeply versed in these matters. By relinquishing, as we should feel bound to do, any attempts at legislation which we have made, and by confining ourselves solely to passing the Boundary Bills and the two Reform Bills for Scotland and Ireland, we were informed that it was possible to have an autumnal dissolution, and by an autumnal dissolution I understand a dissolution in November. These statements were made by Gentlemen learned in the law and thoroughly experienced in matters of the kind; and though I shall not at this moment question the correctness of the remarks of the hon. and learned Gentleman who has just sat down—and I will make a note of his observations—I must say I feel confident, on account of the quarter from which I received my information, that that result can be attained. This, I think, is all it is necessary for me to say at present, though, of course, I shall take an early opportunity of laying before the House fuller information respecting the views of Her Majesty's Government on the subject. The right hon. Gentleman the Member for Kilmarnock (Mr. Bouverie) was very severe in his comments on the position of the Government, but I am totally at a loss to understand what the right hon. Gentleman wanted. Does he want an immediate dissolution of Parliament, and, if he does, is he prepared to support Her Majesty's Government in endeavouring to obtain it? I shall be very glad to hear from the right hon. Gentleman what his intentions are upon that point. With a view to an early dissolution in connection with the new constituencies, it is of the utmost importance that we should pass the Boundary Bill. Until it is passed it will be impossible for me to introduce, as I am recommended to do, a short Bill to alter the days at present arranged for the Registration. Unless we get the Boundary Bill passed early in June it will be impossible to take steps which will, as I am informed, secure an early dissolution. The hon. Gentleman the Member for Birmingham (Mr. Bright) has made a speech framed upon a system which he first introduced into the House of Commons—which, however, has not yet been followed by any other Member, and which I trust will be a solitary precedent. The plan of the hon. Gentleman, when he wishes to cast odium on his opponents, is always to make quotations from some newspaper which habitually opposes the Government; and, having done that, to insinuate that they have been written by members of the Government. I must say that the first time the hon. Gentleman had recourse to that device I was amused by its airy gaiety and happy audacity of invention. But it has become so habitual to him that he seems to be always thinking of newspapers, and to believe that the world is governed by newspapers—which is the real cause of all the mistakes of his career, because he always assumes that newspapers are public opinion. I believe, however, that when the appeal, from which he expects certain results, is made to the new constituencies, the hon. Gentleman will find that he has been entirely misled by trusting to the calculations and representations of newspapers. So far as the Government are concerned, I hope that in future, when the hon. Gentleman imputes to us the communication of articles which he describes as the manifestoes of our opinions—I hope that he will not make his quotations from journals which habitually oppose Her Majesty's Government. The right hon. Gentleman the Member for Calne, in a speech which he made to-night, and which was characterized by all that amenity of manner and suavity of demeanour which render him such a favourite with the House, seemed to throw some new light upon certain events in this House; for he told us that the vote on the Resolutions on the Irish Church was not, as it has been described by the hon. Member for Birmingham and other Gentlemen, the expression of a profound conviction and statesmanlike opinion on a most important subject, but that it was in reality a vote of Want of Confidence in the Government. Now I say that if you wish to pass a vote of Want of Confidence in the Government, it would be more satisfactory to the country, and I believe, also, to the majority of this House, that it should be a straightforward vote. For what happens when we have these sinister votes of Want of Confidence—if, indeed, this be a vote of Want of Confidence? When the Government are beaten by a considerable majority, then, according to the right hon. Member for Calne, it it is a vote of Want of Confidence; but, speaking from my own personal experience alone—and I dare say my Colleagues and friends could testify to many other instances—I may say that I have received a variety of communications from Gentlemen who voted, no doubt, from conscience and conviction on the Irish Church question, and who gave that large majority to the right. hon Gentleman opposite, and those communications state that they did not thereby intend in any way whatever to imply a general want of confidence in the Government. Therefore, there ought to be no mistake or misunderstanding on such a subject. If you wish to pass a vote of Want of Confidence, propose a vote of Want of Confidence. Let the case be fairly argued, let the House give a deliberate opinion on the subject, and let the country judge. But if votes like those which have lately been given in this House, and which I believe are conscientious votes, on a subject of the greatest importance, are to be suddenly transformed and metamorphosed into votes of Want of Confidence, we shall be getting into a habit which cannot increase the reputation of the House for candour, or enable us to carry on our affairs in that manner which I think has been on the whole satisfactory.

Mr. CARDWELL: I rise Sir, for the purpose of asking the right hon. Gentleman to state with perfect clearness a point on which I am not sure we have entirely understood him. I understand the right hon. Gentleman to say he has been informed by some person of legal knowledge and great acquaintance with electioneering matters that it would be impossible, if the Irish and Scotch Reform Bills and the Boundary Bill were proceeded with, to take measures for a dissolution in November. In answer to that an objection was raised by my hon. and learned Friend the Member for Plymouth (Sir Robert Collier), which he believes to be a difficulty in the way of proceeding in that matter. I understand the right hon. Gentleman to say that on this point he will consult either the Law Officers of the Crown or, at any rate, legal gentlemen on whose opinion he can positively rely, and that, on an early occasion, he will state to the House the precise course which it is the intention of the Government to take.

Mr. DISRAELI: Yes.

Sir GEORGE BOWYER said, he was unable to see the great importance of what was termed an early dissolution. It implied that business would be slurred over. There would be an untimely "massacre of innocents," and the Scotch and Irish Reform Bills would be hurried through. Of course the question of the Irish Church must go before the new constituencies; but that was no reason why the present House of Commons should not dispassionately and thoroughly settle the other important questions now under the consideration of Parliament.

Mr. GLADSTONE remarked that nothing had been said about the Order for the resumption of the Committee on the Resolutions on the Irish Church, and expressed a hope that they might be proceeded with on Thursday.

Mr. DISRAELI replied that the right hon. Gentleman should certainly have Thursday if an earlier day cannot be obtained.

Mr. AYRTON inquired what would be the course of the business of the evening?

Mr. DISRAELI: After the Committee of Ways and Means we shall go on with the Representation of the People (Ireland) Bill. With regard to the Boundary Bill, representations have been made to me by hon. Members opposite. I believe it would be very inconvenient to them to have the Boundary Bill to-night. Therefore I will not press that; but I hope we shall go on with the representation of the People (Ireland) Bill.

Mr. BRIGHT: At what hour?

Mr. DISRAELI: Not after eleven o'clock.

Motion, by leave, *withdrawn.*

## WAYS AND MEANS—COMMITTEE.

Ways and Means—*considered* in Committee.

(In the Committee.)

1. *Moved,* That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for one year, commencing on the 6th day of April 1868, for and in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act passed in the 16th and 17th years of Her Majesty's reign, chapter 34, for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, the following Rates and Duties (that is to say):

For every Twenty shillings of the annual value or amount of all such Property, Profits, and Gains (except those chargeable under Schedule (B) of the said Act), the Rate or Duty of Six pence.

And for and in respect of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act, for every Twenty shillings of the annual value thereof,

In England, the Rate or Duty of Three pence, and

In Scotland and Ireland respectively, the Rate or Duty of Two pence farthing.

Subject to the provisions contained in Section 3 of the Act 26th Victoria, chapter 22, for the exemption of persons whose whole Income from every source is under £100 a-year, and relief of those whose Income is under £200 a-year.

Mr. GLADSTONE said, this is the most proper opportunity for those who are so disposed to offer any remarks on the finances of the country. I should have been desirous, in the circumstances of the present Session, to have dispensed, if it had been possible, with the remarks I am about to offer; but it is not, and I am the more absolutely compelled to make them in consequence of a conversation the other night after I had left the Committee, when opinions appear to have been expressed by the Chancellor of the Exchequer which appear to me to be entirely at variance with the practice and with the understanding of the House as to the relations between the Executive Government and Independent Members. I wish to explain what some of my Friends have done with respect to the expenditure proposed by the present Government since it assumed Office, and to state why I have not carried further the objections I have made to their system. Upon various occasions I have objected to the expenditure proposed by the Government, during the last Session of Parliament in particular. When the hon. Member for Pontefract (Mr. Childers) and other hon. Members highly competent to examine the question, were desirous of challenging upon an important point the Naval Estimates, we found—conformably with my Parliamentary experience upon other occasions—that the circumstances of last year were such as made it scarcely possible to question, in an effective manner, the system of expenditure which the Government proposed. When they, upon their own responsibility, state that certain establishments are necessary for the defence of the country—when, for instance, they propose rapid and wholesale armament, and large additions to the pay of the Army, upon the ground that, in their judgment, the increase is necessary to efficiency—it is quite obvious that such expenditure can be effectually challenged only by those who are prepared to bear the responsibility of the construction that will be put upon their resistance to the measures of the Government; and that construction is, that they propose a Vote of Want of Confidence. No Government could be worthy of its place, if it permitted its Estimates to be seriously resisted by the Opposition; and important changes can be made only under circumstances which permit of the raising of the question of a change of Government. Last year it was impossible to raise that question; so absorbing was the interest attaching to the question of Parliamentary Reform that it was quite impracticable to raise any second issue; and, therefore, we had no choice but to leave the Government to its course, or else to incur the responsibility of doing that which we admitted, after the downfall of the previous Government, could not and ought not to be done—namely, to take out of the hands of the Government the settlement of the question of Reform. Further, although it may have the appearance of a paradox, I believe it will be found by experience that when the attention of the House is absorbed by one great question it is impossible to secure the adequate consideration of another question of first-rate importance. Under these circumstances it is obvious the responsibility of the Government for expenditure was raised to the highest point; but to my astonishment, the doctrine seems to have been laid down by the Chancellor of the Exchequer that, when once the Estimates have been accepted by Independent Members, the House is responsible for them in the same degree as the Ministers of the Crown. It is impossible too emphatically to pronounce against that opinion; it is entirely contrary to the relation in which he stands to the House. The doctrine is monstrous, and is unsupported by the authority of the predecessors of the right hon. Gentleman, whose good sense will convince him that it cannot be maintained. The Government have unlimited opportunities of investigating the Estimates for the expenditure through Departments under the supposed control of the Treasury, and how is it possible that those who have no such power, even if they agree to the Estimates, can be responsible in the same degree as the Government? If ever there were circumstances under which a Government was responsible for expenditure they are the circumstances before us, partly because of the Reform Bill, and above all, because the Opposition did not press expenditure upon the Government. When we were in Office incessant attacks were made upon us to promote expenditure, and our proposals for reduction—for instance, in the Vote for the Yeomanry—were resisted. On the other hand, the present Administration has experienced no such general pressure, and no impediments have been placed in the way of its reducing the expenditure. I say this advisedly and deliberately, and challenge reference to the Motions, Questions, and Divisions of the last ten years. The hon. Member for Brighton (Mr. White), referring to a statement I made on the night when the right hon. Gentleman the Chancellor of the Exchequer submitted his Financial Statement, appeared to think that in some manner I had overstated my case. My proposition was that, if it had not been for the increase in the Estimates introduced by the present Government, the right hon. Gentleman need not have been placed in the painful position of asking us to add 2*d.* to the Income Tax. That statement, I think, is strictly and literally correct; in point of fact it is rather an under-statement than an over-statement. There has been added to the Estimates £2,750,000, of which £1,930,000 was required, according to the figures of the right hon. Gentleman, for the Abyssinian War. The gross amount required for the Abyssinian War was £3,000,000, and £1,070,000 having been provided in November, £1,930,000 constitutes the amount now required for the purposes of the Abyssinian War. That being so, it appears to me perfectly plain that if, instead of increasing the Estimates for other purposes than those of the Abyssinian War by, in round numbers, £1,000,000, the Government had so reduced them as to bring them only half-way towards the amount of our Estimates, the sum required for the Abyssinian War might have been provided without any increase in the total Estimates. In truth, I have under-stated the case, because I have taken for my standard of comparison the Estimates for the year 1866, whereas the House is entitled to assume that the Estimates subsequent to that year should have undergone still further reduction in place of being increased. When a general movement for economy was made under the auspices of the hon. Member for Montrose (Mr. Baxter) and others, the right hon. Gentleman and his Friends were ready to pledge themselves to the principle that there ought to be a progressive and gradual reduction in the Estimates from year to year, and, indeed, boasted that they had forced that principle upon us; but the moment they get the control over the public purse that control seems perfectly worthless, and a systematic increase of expenditure is made with regard to the naval, the military, and the civil Departments of the country. I repeat that that increase in the expenditure is a systematic one—and do not let the House think that the increase we see now shows the real extent of that increase. My experience has taught me that these rapid augmentations of the expenditure contain the seeds of further augmentations. If the present Government remain long in Office they will bequeath to their successors a progressive augmenting expenditure. We left to our successors a progressively diminishing expenditure. [Sir JOHN PAKINGTON: That is not correct.] Well, now, you shall have it. In the first place, I say I claim no credit for the diminution of the expenditure which we effected. I am not proud of it. I do not think we did much. [Sir JOHN PAKINGTON: Hear, hear!] The right hon. Baronet jeers when I say that. I repeat that I claim no praise or credit for what we effected in that respect, but I will set up a standard by which what we accomplished may be tried, and then the right hon. Gentleman may judge whether or not dispraise and discredit do not attach to those who sit opposite to me for augmenting the expenditure, instead of adopting the principle we had followed of gradually and progressively diminishing the expenditure. We came into office in 1859, when we found that the Estimates involved a vast increase in the expenditure. For that the Government which then preceded us were not to blame; the Estimates had been in a manner prepared for them, and were adopted by Parliament and the whole country. The Estimates of that year were increased by a large sum, which was required for the China War, which began either a few days before, or a few days after, we succeeded to Office. The expenditure for the official year ending March 31st, 1860, was £69,523,000; for the year 1861, £72,792,000, that being the largest expenditure for the year we have had, and of which £4.000,000, was due to the China War; for 1862, £71,374,000, including £1,000,000 incurred for the expedition to Canada and British North America after the affair of the *Trent;* for 1863, £69,302,000; for 1864, £67,056,000; for 1865, £66,462,000; and for 1866, £65,914,000. That is the last year of expenditure under our control, and I ask the right hon. Baronet opposite whether I have not made out my statement that we left to our successors a gradually and progressively diminishing expenditure? We may have been but poor performers, but it seems that there are still poorer performers than ourselves. We had thus brought the expenditure down from £72,000,000 to a little under £66,000,000; but the real reduction in the expenditure was even greater than is apparent from the figures, in consequence of an alteration we effected in the accounts, bringing into them sums of money on both which had not previously appeared in them on either side. But what has been the result of the operation of the present Government? We left them in 1866 with a diminishing expenditure of £65,914,000. In 1867, we find that the expenditure has risen to £66,780,000, and in 1868 to £69,242,000, exclusive of the expenditure incurred in respect of the Abyssinian War. I believe, I am accurate in saying that the £2,000,000 Vote of Credit includes the whole Abyssinian expenditure for that year. [The CHANCELLOR of the EXCHEQUER: I believe that is correct.] Perhaps there may turn out to be some small accounts for supplies sent from this country which are not included in that sum, but they cannot amount to much. On the 31st of March, 1868, Her Majesty's Government had been twenty months in Office, and in that time they had raised the expenditure from £65,914,000 in 1866 to what it was in 1863 — namely, to something over £69,000,000 — that is to say, they had contrived to throw back the expenditure of the country three years during a tenure of Office of twenty months. Let me ask, does anyone in this House believe that that increase is due to mere casual expenditure? The right hon. Gentleman opposite says that the additional expenditure was all required to secure the efficiency of the Army, the Navy, and the Civil Services. It is not the increase in the efficiency of the Army that has carried off the palm in this great, rapid, and menacing expenditure. If those in office do not mend their ways a "financial crisis" will take place in this House, which will render it impossible for the Public Business to be carried on by them in the face of this large and increasing expenditure. But how do the Estimates stand for the ensuing year? They amount to £70,428,000, exclusive of £3,000,000 for Abyssinia. When I held the Office of Chancellor of the Exchequer I found that the Revenue of the country increased at the rate of about £1,500,000 per annum, some part of which depended upon a consistent endeavour to open up new sources of receipts, and another portion upon what I may call minor reforms. Even during the past year, as the right hon. Gentleman has informed us, the Revenue of the country has increased to a certain extent. Now, as £1,500,000 per annum amounts in two years to £3,000,000, which is the exact amount of the increase on the expenditure which Her Majesty's Government have effected, being, I suppose, just about what they believe they can safely spend in respect of the augmentation of the Revenue of the country. [*Ironical Cheers.*] Sarcastic cheers may be all very well, but the figures speak for themselves. The right hon. Gentleman will say that the expenditure has been rendered necessary in order to secure the efficiency of the services. [*Cheers.*] Yes, that cry has cost the country a great deal of money, and it may cost it a good deal more. [Sir JOHN PAKINGTON: The expenditure in my Department will be more than it is now.] The right hon. Baronet has just made an important announcement, for he has informed us that this efficiency of the services will cost us much more. [Sir JOHN PAKINGTON: I will explain my statement by-and-by.] I shall be glad if the explanation of the right hon. Baronet will destroy the effect of the words I have, I believe fairly, quoted. The state of the expenditure is such as we should deeply deplore; and I do not hesitate to tell the right hon. Gentleman that irrespective of party and of support I should have been ready distinctly to challenge the Government on the system that is now being carried on of increasing the expenditure on the naval, military, and civil services, had it not been for the great absorbing question relating to the state of Ireland. Upon that subject I will not now dwell. When we came into Office last we had to contend with and check the fever of expenditure which had seized upon the country, and which had induced Parliament to spend £6,000,000 or £8,000,000 upon harbours of refuge. We did this— the Liberal party did this — while, as we think, we perfectly maintained the efficiency of the public service, at the same time regularly effecting great reductions through five or six years, which we had the prospect of continuing—a policy which was much better than absorbing by additions to the expenditure all the natural growth of the Revenue of the country.

SIR JOHN PAKINGTON: I am sure the Committee will allow me to offer some few remarks in answer to the speech of the right hon. Gentleman, and in doing so I feel deeply sensible how efficient an advocate the right hon. Gentleman is for economy in the public service; and I can assure him I give him full credit for the efforts he has constantly made for reducing the national expenditure, except so far as I think those efforts have not been consistent with that support of our national armaments which he will himself admit to be one of the first duties of every Administration. The right hon. Gentleman charged the present Administration in no measured terms with systematic extravagance. That was the substance of his charge. He said that the reduction of expenditure by the late Government was gradual and steady from 1860 to 1866, and he proceeded to say that the present Government were bound in duty to continue that diminution. Then he proceeded to say, what I thought rather harsh and uncalled for under the circumstances, that the state of our present expenditure was a subject of discredit and dispraise to the present Government.

Mr. GLADSTONE: I did not mean to use the words in any offensive sense. I meant they were not entitled to credit or praise.

Sir JOHN PAKINGTON: The right hon. Gentleman said it was a subject of discredit and dispraise to the present Government. I think I have some reason to complain that the right hon. Gentleman alluded to the Department under my superintendence. He said no small part of the discredit rested on the War Department. I must say it would have been fairer and more consistent with the usual practice of the House if the right hon. Gentleman had given some intimation of his intention to bring forward this subject. I had not the slightest idea that this subject would be mooted in the House of Commons this evening till I heard of it by mere accident half an hour before coming down to the House. The right hon. Gentleman intimated in the course of some former debate that he might draw attention to the subject; but then three Departments —the Army, the Navy, and the Treasury were involved. I hoped that if he had any exception to take to the administration of the Department with which I am connected, he would bring it forward in a straightforward manner, and not, as he has now done, without the ordinary notice which the courtesy of the House requires. I have Papers in my house which I could have brought down and made use of in answer to every charge he might think it proper to bring against the War Department, but to which I was utterly unable to turn at the moment. No Member of the House is bound to know what may have dropped in debate. We are accustomed to give proper notice on the Paper whenever any public Department is to be called in question. Some of the Papers to which I have alluded would not only have enabled me to meet the right hon. Gentleman's statement, but would have fully justified the expressions I used a short time ago when I said a further increase of expenditure had become indispensably necessary. I do not shrink from that expression. The subject was debated in this House year after year—I mean the subject of the enormous expenditure in which the country was involved by the policy, not of the present or any former Conservative Administration, but of the Palmerston Government—in which the right hon. Gentleman was Chancellor of the Exchequer—with respect to the fortifications of the country. The Government of Lord Palmerston resolved on a great expenditure, which was now going on, for the erection of fortifications which were held to be indispensable for the protection of our arsenals. I never found fault with the Government for adopting that policy. I always thought Lord Palmerston was right. But that is not the point now. What I wish to call attention to is this: that the arrangement made by the Government of Lord Palmerston was that, for the expense of erecting such fortifications, a loan should be raised, but that the cost of arming the fortifications should be borne by the annual revenue of the country, as I hope to be able to show the Committee that this accounts in a very large degree for the increase in the Estimates, and will be the cause of a still larger increase. Fortifications unarmed were of little use, and what did the late Government do towards arming them? For several years they did nothing. If I remember rightly, it was in 1860 that the policy of these fortifications was decided on; but nothing was done in that direction until 1865-6. In one respect I think this was fortunate —although I cannot give the late Government the credit of that, because they could not foresee the extraordinary changes that were to be made in the power of the artillery of the country. It was fortunate they did nothing, because it is very probable that if they had proceeded to a large expenditure in the years between 1860 and 1865-6, they would have expended their money in armaments comparatively of no value. In 1865-6 the Government did, to a small extent, commence providing armaments for these fortifications. In the financial years 1865, 1866, and 1867, 107 guns were provided for the armament of these fortifications. In the financial year 1867-8, after the change of the Government, ninety-seven guns were provided, and in the present year no fewer than ninety-nine guns were provided. During the four years that have elapsed from 1865 to the present year provision has been made for the manufacture of 366 guns of large calibre for the fortifications. According to the calculation of scientific men competent to give an opinion on the subject, it will be necessary, in order to arm the fortifications which are being constructed, to provide 1,044 additional guns of large calibre—12-inch, 9-inch, and 7-inch guns, and also 2,500 guns of a lighter character. The right hon. Gentleman says that if a change of Government occurs, the future Government must effect a large reduction of expenditure. Now, any future Government must and ought to endeavour to effect every economy consistent with the efficiency of the public service; but I presume that the right hon. Gentleman will not be prepared to contend that we are to leave the fortifications of this country without guns in them. It is the duty of the Government to arm these fortifications; and this aggregate number of 3,500 guns of large and small calibre, indispensable as they are for the safety and protection of the country, cannot be manufactured under an expenditure of from £4,000,000 to £5,000,000. That is a plain statement, which cannot be controverted, and which, I think, the right hon. Gentleman will acknowledge, justifies my interruption of him just now, when I said that a further expenditure would be necessary. I challenge contradiction to the statements I have made, from the right hon. Gentleman or anyone else. Hon. Gentlemen opposite sometimes talk of increased Estimates, as if it were an optional matter with the Ministry to have large or small Estimates. Now, the real question is not whether we like large or small Estimates; but whether we are to do our duty in providing for the necessary wants of the country. I had just time to turn, not having had notice of this attack, to a passage in a late Report made to me from the Ordnance Select Committee, the head of which is one of the most able and experienced officers in this country—I mean General Lefroy. He says—

> "Much of the expense incurred by the Ordnance Select Committee is inherent in the costly nature of the material now employed. Down to 1858 we had no gun in use that cost much more than £100; we have this year paid about £7,000 for two guns."

Let me add that these two guns were ordered, not by the present, but by the late Government. It is all very well for the right hon. Gentleman to grumble and make accusations; but we must either leave off providing the country with artillery, or submit to increased Estimates; for it is evident that the expenditure for artillery of ten years ago is not applicable to the present time. Then General Lefroy adds, going still back a few years—

> "A charge of powder and shot rarely cost above 15*s*., now every shot from a 9-inch gun costs at least £4 5*s*., and in the 12-inch gun about £7 12*s*. Many varieties of projectiles which we are obliged to fire cost a great deal more. The ammunition alone required to test a 9-inch gun for strength and endurance, a process that must be gone through, costs over £1,300. Turning back to guns tested as late as 1860, I find it cost about £150."

These are facts to which I speak upon competent authority, and they show that you must either leave off supplying the country with artillery, or you must have increased Estimates. If the cost of testing a 9-inch gun is £1,300—[*A laugh.*]—it is very easy to laugh; but I am stating all this on the highest authority. The cost of testing a 12-inch gun will be proportionately larger—certainly upwards of £2,000. In the face of such facts how can you wonder that a Government finds increased Estimates inevitable? Then, let me remind the Committee of the state of affairs respecting our small-arms when the present Government came into Office. The late Government had done next to nothing in providing this country with breech-loading rifles. Previous to the change of Government, the late Minister for War had ordered the conversion by hand of 40,000 small-arms into breech-loaders, at a cost of £12 a gun. Of these only nineteen or twenty were finished. When my right hon. Friend the Member for Huntingdon (General Peel) took Office, he proceeded to provide the British army with the indispensable breech-loader; but, instead of their being converted by hand at an expense of £12 per gun, the conversion was effected at a trifle under £1 a gun, and several hundred thousand were converted. Of course, in consequence of the number converted, a large expense was incurred, and the Estimates were increased. Now I will pass to another subject. I have here a return of the number of men below the establishment of the Army at the close of several financial years. In 1860-1 the difference between the effective numbers and the establishment was 129 officers and men; in the year following 929; in 1862-3, 3,724; in 1863-4, 5,606; in 1864-5, 5,946; in

1865-6, 6,884; in 1866-7, 1,358. This was a state of things which could not be allowed to continue. It arose from a difficulty in obtaining recruits. Under the administration of the noble Marquess opposite (the Marquess of Hartington) a Commission was appointed on the subject of recruiting, which reported that increased expenditure must be incurred in order that men might be induced to enter the army. My right hon. and gallant Friend (General Peel) merely changed the form of that increased expenditure; the principle had been laid down by the Commission of the noble Lord. My right hon. Friend, with the full sanction of the House, and without any objection on the part of the late Government, increased the pay of the soldier by *2d.* per day, and thereby added £500,000 a-year to the Estimates. Well, that was a great addition to our expenditure; but it arose from the cause which makes the army of England the most expensive army in Europe. There is no doubt of that fact—it is admitted by every one; but the reason should not be forgotten. It is the price which you pay for an army recruited by voluntary enlistment. If you examine the state of the armies of France and Prussia, you will find that their cost, man for man, is not half of the cost of the army of England. But the armies of these countries are recruited by means which we should consider a violation of the liberty of the subject, means which we in this country could not think of resorting to unless under the pressure of a great national emergency. Therefore, I say your course as regards this expenditure is clear. If you like to change the system of recruiting for the British army and adopt conscription, your expenses will be less; but if you choose to go on as you do now—and, for my parts I hope we shall never change the system, for I greatly prefer voluntary enlistment—then you must pay the cost. It was found by my right hon. and gallant Friend (General Peel), and all were agreed on the point, that the pay given to the British army was not sufficient. With the general concurrence of Parliament my right hon. Friend, by the change which he wisely made, added £500,000 to the expenditure of the country. There are other points which, if I had had notice of the attack of the right hon. Member for South Lancashire, I could have explained. I have touched only on questions which affect the Department with which I am connected, and I hope I have shown the Committee that there are reasons why it is impossible, under existing circumstances, to maintain the military establishments and defences of the country at a less cost. I say, you may economize in other respects; but no one will dispute that if you have fortifications you must arm them; and you cannot control the enormous increase in the expense of all such armaments which has occurred within the last few years. We may lament the fact that our expenditure should be increased, but I fear the circumstances are too strong for us, and I hold that the present Government are not open to the charge made by the right hon. Gentleman, of having wantonly and unnecessarily increased the expenditure of the country.

MR. GOSCHEN said, he should be speaking within the recollection of the Committee if he said that a portion of the challenge which had resulted in that discussion had come from the Chancellor of the Exchequer in replying to some observations which had been made by his right hon. Friend the Member for South Lancashire (Mr. Gladstone) on the introduction of the Budget. The right hon. Baronet who had just sat down was absent on that occasion from a cause which they all regretted. The right hon. Baronet had said that he was not bound to know what occurred in the debates in that House. Now, he (Mr. Goschen) took it that every Member of that House was bound to make himself acquainted with what passed there, especially upon matters of such importance as those which had been raised in the discussion to-night. The right hon. Gentleman the Chancellor of the Exchequer had asked the Committee to agree to a Resolution for an increase in the Income Tax, and the objection which his right hon. Friend the Member for South Lancashire had raised on the occasion of the introduction of the Budget was whether that increase of the Income Tax was not really caused by an increase of expenditure. He took it for granted that in every general discussion of finance it was necessary to treat at the same time the expenditure itself and the means by which it was proposed that expenditure should be met. Every individual, when he dealt with a question of his own income, was bound to look to both sides of the account; he was bound to consider how new expenditure was to be met, and if he had no fresh resources, then he ought to see how his expenditure was to be reduced. So in the case of the Budget it was essential to consider how far the proposed expenditure was necessary, and how the taxation consequent upon it was to be raised, or whether the taxation might not be reduced by curtailing the expenditure. The right hon. Baronet, however, had only pointed to the increase of expenditure, and shown, what was the truth, that the cost for the armaments now was infinitely greater than it used to be. But if they were to admit that every gun would cost so many hundred pounds more than before, then they would probably think that they should want very much fewer guns. If we were to require as many monster guns as small guns, then, indeed, the prospect before the country was bad. But the right hon. Baronet had not pointed out that the increase in the Estimates of the last two years was due in any appreciable degree to the increased outlay upon guns. The right hon. Baronet had said that only eighty-five guns had been provided in a year by the late Government, while ninety-nine had been provided by their successors. But that was only a difference of fourteen guns, and how could it affect so materially the Estimates of the last two years? The cost of these fourteen guns could account for but a small portion of that difference of £1,250,000. The expense for the 3,000 guns that would be required for the fortifications apparently would fall upon future Estimates, and was not in any degree borne by the Estimates of the last two years. The right hon. Baronet had spoken of the conversion of the rifles. Well, that accounted for a certain increase in the Estimates one year, but the year after the increase was as great as ever. [Sir JOHN PAKINGTON: The conversion is going on now.] As far as he had been able to observe that was always the case—what was "extraordinary" one year became "ordinary" in the next—when any special expenditure had been incurred one year it would be found repeated in the next year, instead of the expenditure being reduced. Another matter he wished to point out was that notwithstanding this enormous expenditure on the army and navy, which he was afraid would be increased by millions, nothing was ever found ready. If there was to be a new expedition they would have to incur an extraordinary expenditure besides. The right hon. Baronet had said, what was perfectly true, that the British Army must always cost much more than foreign armies, on account of our system of voluntary enlistment. But he would like to know how much of our Estimates were really due to the keep and pay of the soldier. He confessed that the prospects which the right hon. Baronet held out for the future were not very satisfactory, and if £3,000,000 or £4,000,000 were to be added to our present Estimates, he was surprised that the Chancellor of the Exchequer, in bringing forward his scheme of finance, had not shown how that expenditure was to be met. He congratulated the right hon. Gentleman on the conclusion of the Abyssinian War; but still he did not see any prospect of the balances which had been reduced since the present Government had been in office being brought up to the old point under the financial administration of the right hon. Gentleman. The Estimates of the present year were regarded as extraordinary Estimates, and reductions in next year's Estimates were looked forward to; but it unfortunately appeared that the right hon. Baronet could hold out no hope of any reduction next year. On the contrary, if the right hon. Baronet should think it his duty to push forward the manufacture of guns with increased rapidity, £1,000,000 or more might be added to next year's Estimates. He would not say one word against the policy of this Income Tax, if the calculations made by the Chancellor of the Exchequer were correct, and the tax was only to be temporary; but he thought it extremely fortunate that the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) had raised the present discussion, and had elicited what was the state of the War Estimates, for without information on that point it was impossible to judge fairly of the plan of finance laid before the House.

**SIR JOHN PAKINGTON** explained that the two guns which cost £7,000 were exceptional guns; and though guns were now immensely dearer than they were twenty years ago, he should be sorry to have it supposed that the price paid for those two represented the average price of guns.

**MR. CORRY**: Sir, if my right hon. Friend the Secretary of State for War had reason to question the course pursued of the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone), still stronger is my own ground of complaint, because that right hon. Gentleman has attacked the Estimates for which I am primarily responsible without having heard a word in explanation of them, as I have not yet had an opportunity of making my statement to the House. I will now, however, specify some causes of increased expenditure under several heads, of which I have no doubt the right hon. Gentleman is absolutely ignorant. In Vote No. 1 of the Navy Estimates, although there is a reduction of about 2,500 men as compared with last year, and of 2,200 as compared with the year 1866, there is an increase in the amount to be voted for wages. This increase has arisen from different causes. Under various Orders in Council there has been an increase of pay to medical officers —which increase was indispensable in order to secure the services of competent officers —to navigating officers, to naval instructors, to artificers — so necessary in our armour-clad ships—and to the Royal Marines. The last item alone amounted to £68,000, and the total increase in the amount of wages, as compared with 1866-7, was little short of £130,000. In the Vote for victuals there is also an increase in consequence of the increase in the price of victuals. For that the Government are not responsible: of course, they could not starve the men. In Vote No. 11 (for Works in Dockyards), there is a decrease of £78,000 as compared with the Estimate for 1866, notwithstanding that the expenditure on the four great works at Chatham, Portsmouth, Malta, and Bermuda —all undertaken by the late Government, and the expenditure which is regulated by Act of Parliament—exceeds the amount taken in the Estimates of 1866-7 by £86,000. In Vote No. 14, a sum of £50,000 is taken for an iron armour-clad vessel building for Victoria, New South Wales; but, on the other hand, a corresponding decrease of nearly the same amount is made under Vote No. 17. There is a decrease of £150,000 for labour and materials in the dockyards; but, on the other hand, there is an increase of £750,000 for armour-clads as compared with the year 1866; and this is the secret of the increase in the Navy Estimates for the present year, as compared with the Estimates for 1866-7, which were prepared under the auspices of the right hon. Gentleman. The question is, was the Navy in 1866 in a satisfactory condition? I do not like to enter into comparisons between ourselves and other countries; and yet I think it would be false delicacy not to refer to the state of other navies as well as our own. The late Mr. Cobden had the good sense to say that our navy ought materially to exceed the navy of France in strength. From the information I have received from a source which I shall not mention, but which is an authentic one, I found that, whereas, when I prepared my Estimates, the armour-clad navy of England comprised twenty-two first and second-class ships afloat; that of France consisted also of twenty-two first and second-class ships. Of the smaller classes of armoured ships we had nine, while France had thirteen. Therefore France had four more iron-clad ships afloat than we had. Then, again, in respect to iron-clad ships in course of building, we had six and France had seven ships of the first and second-class, while of the smaller class France had four and we had none. The general result, therefore, of the comparison in regard to armoured ships built and building was, that England had thirty-seven and France forty-six. The House will agree with me in thinking that that is not a satisfactory state of things. Then came another question—namely, that of the reserve of ships in the ports. I am not imputing blame to the late Government, I wish only to state facts; but when I entered on the duties of my present Office the reserve of ships in the ports, exclusive of two or three small vessels that were fitting for reliefs to ships about to be paid off, was *nil*. This state of things was as abnormal as it was dangerous. During the Government of Sir Robert Peel, who kept a watchful eye over the expenditure of all the Departments, it was thought necessary to maintain a reserve of thirty ships of the line, some of them ready to go to sea at a few hours' notice, others in a few days, and the rest in a fortnight. Nor was that merely a Tory policy; for in 1848, when Lord John Russell was in power, a question arose whether so large a reserve was necessary, and the decision was that it should be maintained. Again, in 1859, when my right hon. Friend the Secretary of State for War was the First Lord of the Admiralty, and when the Italian War broke out, it was thought necessary to increase our force of ships in commission; and we sent out from the dockyards twenty-eight ships in the course of a few months, of which fifteen were line-of-battle ships. Indeed, there can be no safety for this country in a time of emergency unless we maintain a sufficient reserve of ships in the dockyards ready to be commissioned if required. Therefore, in the Estimates which

I shall propose as soon as I have an opportunity, we provide for a considerable reserve of armour-clad ships in our ports. I should observe that my right hon. Friend the Secretary of State for War has had to incur a heavy expenditure in providing guns not only for the fortifications, but also for the navy which has undergone a complete change of armament, and that in the naval Department the cost of fitting the ships for their new armament has been a very heavy item of expenditure. I think, therefore, I have shown that there is some reason for increased expenditure; and with these general observations I shall reserve further explanations till I come to propose the Navy Estimates for the year.

MR. SAMUDA said, that, notwithstanding the great necessity which the First Lord of the Admiralty alleged to exist for strengthening the navy, the work proposed to be performed in the dockyards was reduced from 24,000 to 14,000 tons, the saving to be effected by which reduction might be roughly calculated at nearly £500,000.

MR. CORRY explained that he had spoken principally of works to be executed by contract, and not in the dockyards.

MR. SAMUDA said, it was true that £245,000 was taken in the Estimates to be expended on contract ships this year beyond the sum so spent last year; but if he took from the saving in the dockyards the amount proposed to be spent on contract ships, there ought to be a reduction of from £200,000 to £250,000 in the Estimates; instead of which there was an increase of £200,000. He was astonished to hear from the Secretary of State for War that they might expect to pay no less a sum than £4,000,000 for guns for the fortifications, and he maintained that the question of those fortifications demanded careful revision. He was surprised to hear that no less than £1,300 would be required for testing the 9-inch gun, and £2,000 for the 12-inch gun. It would be impossible in time of emergency to furnish an adequate garrison to man and fight those guns. He believed the best policy in view of invasion would be the carrying of our defences further inland, so as to increase the distance between the point of disembarkation and the place of attack. It was a matter for serious consideration whether a number of arsenals and dockyards which could only be available in time of peace ought to be maintained. Such places as Pembroke, Chatham, and Woolwich might be preserved, but Portsmouth and Plymouth would be rendered untenable in time of war if the war was of a severe or aggravated character.

GENERAL PEEL: Sir, I am under a disadvantage, not only in being unprepared for the debate, but in not having heard that debate. It appears to me that speeches on fortifications have no reference whatever to the subject before us—namely, the increase of the annual expenditure. The present Government have no responsibility whatever with regard to those fortifications. They were decided upon by Lord Palmerston's Government, and on taking Office I distinctly disclaimed all responsibility for them. The hon. Gentlemen who spoke last does not seem to be aware that though the sum necessary for the erection of the fortifications was proposed to be provided by money raised by a loan, the armament for them was to be provided for out of the annual Estimates. The original Estimate for that armament was £1,885,000; but when I came into Office in 1866, only £85,000 of that sum had been charged in the Estimates. The country was a gainer by the delay; for otherwise there would probably have been a very bad gun at three times the cost that was ultimately incurred: but it is not fair to turn round on the Government and blame them for an increase in the Estimates because they have provided this armament. I think that had I been present when the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) spoke, I should have been able to show that it was not only very unreasonable, but very unwise, to make a comparison between the expenditure of his Government and of the present one. When I came into Office in 1859 the total expenditure for which I was responsible was £13,500,000, but the expenditure in that Department went on increasing while the right hon. Gentleman was Chancellor of the Exchequer to £16,000,000 and upwards; and in 1866 our armaments were in much the same position that they had been in 1859. When I came into Office we had not a single rifled gun. I introduced those 12-pounder Armstrong guns which have, I hope to hear in the course of a few days, been so very effectual in Abyssinia; but the Government of the day, though urged to wait for some further trials, went in for the larger Armstrong guns, which cost upwards of £3,000,000, and all of which proved a failure. As to a comparison of Estimates, it must be remembered that Estimates are only an approximate calculation as to the cost of contemplated works. If you construct the works for a smaller sum than the Estimate, of course that is a saving; but if you do not construct necessary works at all, there is no saving. Now, in 1865-6 there was a saving of £500,000 in the manufacturing department; but that saving was owing to the partial suspension of operations in the Royal carriage and other factories, through the pattern of wrought-iron gun carriages not having been determined upon, and through other changes being anticipated. But because such expenditure was deferred, is it right to turn round on the Government and blame them for the outlay which was ultimately necessary? Then as to the increase of pay, that followed upon the Report of the Royal Commission on Recruiting; and that Commission was appointed because you could not get enough recruits. For my own part, I shall always recollect with pride the part I took in providing better weapons, and in granting the soldiers increased pay.

THE MARQUESS OF HARTINGTON said, that, not having heard the remarks either of his right hon. Friend (Mr. Gladstone) or of the right hon. Baronet (Sir John Pakington), he would not now attempt to enter into the discussion; but he should be ready on another occasion to discuss the points which had been raised. As to the large increase in the Votes for Army Purposes having arisen from the necessity of supplying large guns and from the increased pay of the troops, he maintained that those two items did not account for the whole, or nearly the whole, of that increase. He always contemplated the probability of a large additional expenditure for the supply of heavy guns for naval purposes and for arming our fortifications; but it was hardly fair to blame the late Government for not taking action in the matter. Their principle was to provide the armament for the ships and fortifications which would be ready within the year, and this was the most prudent course that could have been pursued. As he had before remarked, it was easy to find good reasons for increasing any particular Vote; but those on whom the responsibility rested were bound, not only to see in what way money could be usefully expended, but in what way it could be usefully saved. He did not say that it would have been possible for the late Government to practise greater economy than the present, but the two items which had been referred to did not account for the total increase; and it rested with the Government to show, not only that extra expenditure was necessary in those items, but that retrenchment was impossible in others.

SIR CHARLES RUSSELL said, he attributed the present excessive expenditure, to a great extent, to the outlay incurred in fortifications. The misfortune was that Parliament legislated on that subject during a panic. The House were now defraying the expense of that legislation; and it was very hard upon a Government which had not proposed the fortifications to have to incur the unpopularity of the Vote for arming them. According to the evidence of Sir Richard Airey before the Commission on Fortifications, when the embrasures in the fortifications had been made, there was not one gunner in the service, for every gun it was proposed to mount in them. As to the fortifications themselves, they somewhat resembled the towers which were seen in different parts of the country, and which were called So and so's "Folly." They were now erected, but it was quite worthy of consideration whether the Government should arm them with guns or not. Another Government, however, having built the forts, the House could not blame the present Government for proposing to put arms into them.

MR. DALGLISH said, that having been one of those who opposed the scheme of these fortifications, he was gratified to find that the general opinion now was that they were a mistake. He wished the Government would consider whether it would not be better to delay for a time providing them with guns.

MR. LAING observed that the discussion had hitherto been directed rather to the army and navy expenditure than to the question of Ways and Means. The broad situation was that, apart from the Abyssinian expenditure, the ordinary Estimates of expenditure had been increased by £3,000,000 or £4,000,000 during the last three or four years; and that not only had a surplus of £2,500,000 disappeared, but the balances had been reduced by about £1,000,000, excluding from the reckoning the Abyssinian outlay. That was not a satisfactory state of things. There were reasons apparent to every one why it would not be fair to charge this increased expenditure upon the present Government, and why a great portion of it was inevitable. This, however, was no reason why they should persist in charging to direct taxation—in other words, to the income tax—the whole of the increased taxation that had become necessary. He had always been in favour of the income tax; but there was danger, at a moment when they were about to enlarge the constituencies of the country, in establishing a precedent for throwing every unexpected or inconvenient amount of expenditure upon direct taxation in the shape of the income tax. During the Crimean War a certain balance was preserved between direct and indirect taxation. He quite agreed that it was not desirable to alter the rate of taxation upon articles of general consumption, or to impose taxes affecting our commerce for a merely temporary object. If, however, this increased scale of taxation were to be maintained in future years, it would be dangerous if a fair proportion were not thrown upon other classes of the community besides those which paid income tax. Another point to which he wished to refer was as to the policy of raising money by taxation for the purpose of reducing the National Debt. When he opposed the Government scheme of last year he did not suppose that his predictions would meet with so speedy a verification. The practical effect had been to add £1,000,000 a year to the charge of the country, which had been withdrawn from the balances, and to borrow £1,000,000 at a higher rate of interest. Where was the difference between such a scheme and Mr. Pitt's sinking fund? To convert a debt into terminable annuities was the scheme of a sinking fund in the worst of all forms. The sound principle was to keep the expenditure down to the lowest point consistent with efficiency; to make the Estimates on such a scale as would ensure a surplus within the year, and then—adjusting the burden of taxation fairly between direct and indirect taxation—to trust to the gradual reduction of the Debt by means of the accruing surplus of the year.

Mr. CHILDERS said, that, with respect to the National Debt, the short answer to his hon. Friend (Mr. Laing) was, that for many years the policy of the House of Commons had been to apply a very considerable sum to the reduction of the debt by means of terminable annuities. These had to a great extent fallen in, and the policy of last year was no new policy, but simply an endeavour to redress the balance between permanent and terminable annuities which had become deranged through that falling in. Coming to the question specially before the House, he thought the House had lost sight of the origin of the argument. They had been of late years so accustomed to large surpluses — the average annual balance in favour of the Exchequer having been £2,750,000 — that it was difficult to appreciate the fact that they had suddenly dropped into the position of having two years' successive deficits. There were, in fact, three deficits contemplated in the Budget of the Chancellor of the Exchequer—a deficit last year, one for the present year, and the Abyssinian deficit. Omitting the expenditure on account of the Abyssinian Expedition altogether, he found that the original Budget expenditure of last year for the various services was £40,233,000, which amount was increased by a supplementary Estimate to £40,449,000. The Budget expenditure for the present year under the same heads was, on the other hand, £41,863,000, from which was to be deducted the difference between the extra receipts which came into the Treasury this year and last year for the navy and the other services, leaving as a net result above £41,050,000—which, compared with the original Estimate of last year, gave an increase in the Budget of the present year — in which the country was informed that there was to be a considerable deficit —of over £800,000. To this might be added the difference between the estimated sales of old materials in the two years, which was against the present Budget. He, for his part, had always insisted that this head of income ought not to be mixed up with expenditure, and ought not to be taken into consideration, when making a comparison of the Estimates of one year with those of another, but the contrary view had been strongly maintained by others; and, taking it to be the right course to adopt, it would be found that the difference between the Estimates of last, and those of the present year, was no less than £1,034,000. Now, that was an increase which he thought justified hon. Members in considering whether or not it was not absolutely necessary that some rigorous measures should be adopted to cut down, where practicable, some portion of the public expenditure. It had been said by more than one hon. Gentleman opposite—that the proposed increases of expenditure were inevitable, and he did not dispute that from year to year it was found to be absolutely impossible to prevent the increase of some items. But it was the part of a wise administrator, when expenditure was inevitable on some heads, to see whether it could be reduced on others. But this is just what hardly appears in any of the Estimates of the present Government. His right hon. Friend opposite (Sir John Pakington) for instance, stated that the guns cost more than they used to do. The question then arose, whether fewer guns might not be required? [SIR JOHN PAKINGTON: I told you the exact number of guns you would want.] He was about to apply the principle in another direction. It was said that the maintenance of men was more costly than it used to be. The question then came, whether they could not dispense with some of the men? When the right hon. Baronet was at the Admiralty last year there was no reduction in the men. This year the right hon. Gentleman now at the Admiralty made a considerable reduction, while the right hon. Baronet, having been transferred to the War Office, had made no reduction there. The probability was that he was as much in error in the one case as he was in the other. But a plea was put up that the increased expenditure was due to warlike stores. To make quite sure that the comparison was just he had compared all the Votes for this purpose in recent years, and he found that the Estimate for warlike stores was this year £1,491,000, as compared with £1,457,000 in 1865.

SIR JOHN PAKINGTON: A great deal of the expenditure was laid out, not in the manufacture of guns, but in various items rendered necessary in connection with their alteration.

MR. CHILDERS observed that it was for this reason that he had thrown the two items together; and in the aggregate Vote the whole increase in three years was only £34,000. Whether the Estimates had been worked up to more in one year than the other was another question. He could not think that every 12-inch gun cost £2,000 to prove it. He believed that, on this subject, the right hon. Gentleman had not correct information before him. As to the navy, the expense of armour-clads had been dealt with unfairly, for comparisons had been made with an exceptional year, which furnished no correct idea of the general expenditure. Had the years 1864 and 1865 been taken into account, and both dockyard and contract work compared, the result would have been very different. There were other questions connected with the expenditure for the navy which had been touched upon by his right hon. Friend the First Lord of the Admiralty; but he should not advert to them on the present occasion, inasmuch as an opportunity for doing so would be offered when the Navy Estimates came on for discussion. There was no doubt of this, that the Estimates had been increased in two years by £2,750,000, and this was not a satisfactory state of things.

SIR JOHN PAKINGTON said, he would inquire into the statement with regard to the testing of guns, which he confessed had a startling appearance. If he had been favoured with longer notice he would have done so in time for this discussion.

THE CHANCELLOR OF THE EXCHEQUER: I think, Sir, I may safely say no one has ever heard me complain of this House jealously watching any increase of public expenditure; on the contrary, I think discussions of this nature greatly strengthen the hands of the Treasury in controlling that expenditure. If anyone will turn to the votes I have given since I have been a Member of this House he will find they have always been given in favour of economy. But when the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) came down to the House the other night, and charged the present Government with extravagance, I thought it my duty to call the attention of the Committee to certain considerations he had entirely omitted. I ventured to say that the right hon. Gentleman was responsible for the expenditure he referred to. That position I re-affirm, notwithstanding that the right hon. Gentleman has controverted it to-night. There is no question that a large increase of expenditure was proposed last year; and I say that the right hon. Gentleman was bound, if he knew of sound reasons for objecting to that increase, not only to have stated his objection, but to have taken the sense of the House upon the subject. The right hon. Gentleman has said that it was not proper at that time to divert the House from the graver subject under consideration; but that I contend is not a sufficient excuse, for the right hon. Gentleman was not only a Leader of a majority of the House, but had filled a very important office, which he had lately vacated. He was also surrounded by hon.

Gentlemen who were all as thoroughly informed as the Members of the existing Government on the question he raised, and was, therefore, competent to advise the House. But what happened? The right hon. Gentleman acceded to the proposed expenditure. No doubt the right hon. Gentleman was assured by his Friends, who had presided over the Department concerned, that the increased expenditure was necessary. I said the other night that it was questionable whether cutting down expenditure was always economy, and increasing expenditure always extravagance; it was a question whether the unwise parsimony of the right hon. Gentleman's own administration had not caused the increased expenditure of last year. I challenged the right hon. Gentleman as to the question of arming the troops; I challenged him on the question of providing a sufficient number of ships for the relief of our stations, but the right hon. Gentleman to-night only repeats his generalities, and altogether avoids taking up my challenge. He does not at all refer to those points in which I said an increased expenditure had been rendered necessary. The Committee will, therefore, readily agree with me that the right hon. Gentleman is a year behind time, and that he is not right in saying that the expenditure we recommended last year was not fully justified. The right hon. Gentleman intimated that since he left the Treasury there seemed to have been no controlling power there. That statement I entirely deny. I consider that it is the duty of the Treasury to resist any application for unnecessary wasteful expenditure, but to assent to any increase of expenditure which is demanded by the exigencies of the public service. The Government would be betraying its trust if it did not acquiesce in expenditure shown to be necessary. That is my view regarding control; and I can assure the right hon. Gentleman that these increased Estimates have been subjected to the most rigorous examination, and that everything has been done to cut down expenditure to the lowest point consistent with the requirements of the public service. The right hon. Gentleman has spoken of our expenditure entailing further charges in future years. I reply that the present Government is in a similar position as regards former Governments. What was the Vote which recently occupied the House, relating to Consular buildings in Japan and China. Was not that a legacy from Lord Palmerston's Government? The policy of that Government was to increase our trade with China and Japan, and that course necessitated the placing of agents in various places. We have been required to find residences for those agents, and the expenditure was made on the recommendation of an officer sent out by the late Government. Therefore we have been obliged to propose extraordinary expenditure on account of measures originating with our immediate predecessors in Office, though the right hon. Gentleman says we have no legacies left from the late Government.

MR. GLADSTONE: What I said was that the legacies left by the late Government tended to a progressive decrease in expenditure.

THE CHANCELLOR OF THE EXCHEQUER: I will take a case. The late Secretary of State for the Home Department (Sir George Grey) recommended an increase in the pay of the police. I apprehend the right hon. Gentleman was a party to that measure, and I do not find fault with it. In fact, the pay of almost everybody having been increased, it was found the police force could not be properly recruited without raising the pay. The right hon. Member for Morpeth (Sir George Grey) sent a circular to all the counties, and suggested an increase in the pay of the police. That suggestion has been very largely acted on, and as the Treasury contributes 25 per cent of the constablary pay, the proposal has resulted in increased Imperial expenditure. Those who scrutinize the Estimates carefully will find that very little of the increased expenditure of the year arises from new schemes; but that it is almost wholly occasioned by the continuing of measures set on foot by the late Government. It must also be remembered that the House is continually passing measures for the improvement of the country, and requiring Government to take the superintendence of such improvements. In this way a large increase of expenditure has been rendered necessary within the last two or three years by measures which have received the general assent of the House. There has been legislation for increased education, and for sanitary improvements. We have to pay for our improved civilization, and for the greater comfort that is now enjoyed by all classes of the people. Hon. Members, therefore, who press these proposals forward must not complain if, when their wishes are complied with, the Executive Government comes forward with new demands upon the taxpayer. The hon. Member for Pontefract (Mr. Childers) took credit to the late Government because its expenditure had been generally below the Estimate. Now the Secretary for War has alluded to the numbers of the men recruited for the army, and, although the right hon. Baronet did not apply it in that way, this one item accounts for almost the whole of the savings of the Estimate mentioned by my hon. Friend. The pay offered by the late Government was not sufficient to attract men to the standard, and the numbers required for the service could not, therefore, be obtained. As no pay was required for those who did not come to the standard, it was easy to declare a saving had been made, and that is the way, I think, in which nearly the whole of the vaunted saving has been made. What has been the result of the measure proposed by the late Secretary of State for War (General Peel)? An increase on the Estimates of about £500,000 on account of an increase of pay of *2d.* per day to the soldier, and *1d.* per day for re-enlistment. We have had, if I recollect rightly, 26,000 enlistments of ten years men. If we have increased the Estimates and added to the expenditure we have something to show for the money; and we must look not only to the amount of the expenditure to be provided for, but also to whether that expenditure is justified by the circumstances. If we show that the money has not been squandered or wasted, but has produced that which is necessary for the protection and for the safety of the country, then I think the House of Commons will not blame the Government simply because the expenditure has increased. At this hour, I shall not trespass further on the attention of hon. Members; but after the long debate which has been held I trust no difficulty will be felt in assenting to the Motion.

Resolution *agreed to.*

(2.) Motion made, and Question proposed,

"That, towards making good the Supply granted to Her Majesty, the Commissioners of Her Majesty's Treasury be authorized to raise any sum of money, not exceeding One Million pounds sterling, by an issue of Exchequer Bonds.',

Mr. DARBY GRIFFITH called attention to the fact that we were putting by £1,000,000 this year and every year successively to make up a sinking fund, at the same time that we were borrowing another £1,000,000 to meet current expenditure. This system of cross accounts, which must be very intricate and costly, was due to the action of the right hon. Gentleman the Member for South Lancashire, who, when Chancellor of the Exchequer, was always taxing his brain to discover some financial novelty, and whose latest act had been to tie the country hand and foot for twenty years to this scheme of a sinking fund, to create which it was necessary to impose taxes otherwise needless upon the country to the extent of £1,000,000 yearly.

Amendment proposed,

To leave out all the words after the words "authorized to," in order to insert the words "suspend so much of the payment of the Terminable Annuities created in 1866 till the year 1885 as may amount to the difference of the annual payment made on their account, and of the interest of the £24,000,000 Stock for which they were exchanged, that is to say, a sum of £1,005,000," (*Mr. Darby Griffith,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the proposed Resolution."

Mr. THOMSON HANKEY said, he hoped the Chancellor of the Exchequer would not adopt a proposal which would amount to a reversal of the policy agreed upon in 1866.

The CHANCELLOR of the EXCHEQUER hoped the hon. Member would not press his Amendment. The matter had been very fully discussed in 1866, and again last year; and the House, he thought, would exhibit great infirmity of purpose if, because of a temporary pressure, it abandoned a course of action which had been deliberately agreed upon. The Amendment, if carried, would necessitate the passing of a new Act to regulate the interest payable on the terminable annuities.

Amendment, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(3.) *Resolved,* That the principal of all Exchequer Bonds which may be so issued shall be paid off at par at any period not exceeding twelve months from the date of such Bonds.

(4.) *Resolved,* That the interest of such Exchequer Bonds shall be payable half-yearly, and shall be charged upon and issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof.

House *resumed.*

Resolutions to be reported *To-morrow.*

Committee to sit again upon *Wednesday.*

### POOR LAW (IRELAND) AMENDMENT BILL.

Bill for the amendment of the Law for the relief of the Poor in Ireland by substituting an Union Rating for the present system of rating by Electoral Divisions, *ordered* to be brought in by Mr. Serjeant BARRY and Major GAVIN.

Bill *presented*, and read the first time. [Bill 103.]

House adjourned at half after Eleven o'clock.

# HOUSE OF LORDS,

*Tuesday, May* 5, 1868.

MINUTES.]—PUBLIC BILLS—*First Reading*—Marriage Law (Ireland) Amendment * (89).
*Second Reading*—Friendly Societies (43).
*Report*—Medical Practitioners (Colonies) * (78).
*Third Reading*—Marriages (Frampton Mansel) * (85), and *passed.*

### NEW PEERS INTRODUCED.

The Right Honourable Sir John Trollope, Baronet, having been created Baron Kesteven of Casewick in the County of Lincoln—Was (in the usual Manner) introduced.

Sir Brook William Bridges, Baronet, having been created Baron Fitzwalter of Woodham Walter in the County of Essex —Was (in the usual Manner) introduced.

### THE FRIENDLY SOCIETIES BILL.

(*The Earl of Lichfield.*)

(NO. 43.) SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF LICHFIELD, in moving that the Bill be now read the second time, said, that great misunderstanding appeared to have prevailed respecting the 3rd clause of the Bill, petitions having been presented against it from many societies, one of them having 500,000 or 600,000 members, and another upwards of 100,000 members. It appeared to him from a careful perusal of these petitions that the object of the clause had been purposely misrepresented. The evils arising from the admission of children under a certain age into these societies had been brought prominently before the public by proceedings in the police courts, from which it appeared that, in some cases, persons insured the lives of the children of their fellow-lodgers in order to obtain the burial money in the event of the death of those insured. The 3rd clause did not in any way interfere with the provisions of the 9th clause of the present Friendly Societies Act—the 18 & 19 *Vict.* c. 63—by which it was expressly provided that members of Friendly Societies should have the power of insuring the lives of their children for the purpose of securing a sum sufficient to defray the expense of the funeral in the event of their death; and the 15th clause empowered minors to become members. He was not prepared to say that he sought for any interference with this system, if parties chose to carry on that description of business; but, at the same time, he could not refrain from saying that such operations were not contemplated at the time of the passing of the Friendly Societies Act. One of his objects was to carry out what he believed was the true sense of the 18 & 19 *Vict.*, which was merely to recognize the power of members to insure their children's lives in the society to which they themselves belonged. The 5th clause of the Bill was intended to prevent the transfer of members from one society to another without their express consent. It often happened that members were transferred from one society to another without being aware that such transfer had been made; and as the collector did not call for subscriptions due to the society to which the member transferred was in the habit of contributing, he found himself "out of benefit" in it, while his claim on the new society was often found invalid in consequence of his not having been properly admitted. The next point to which his Bill referred was the forfeiture of benefits—a thing which frequently occurred in consequence of the failure of the collector to call for the subscriptions of members. It appeared only fair that a member should not forfeit his claims on his society without distinct notice that forfeiture would take place if arrears were not paid by a certain time. The Bill next provided the means of a more certain and speedy redress in cases of dispute between the members of these societies. The difficulty of obtaining redress in ordinary Friendly Societies was very great; but it was vastly increased in the case of burial societies. The members were often scattered over the whole country, and the redress provided by the rules was arbitration in the place where the society's business was carried on; and where a society had branches in almost every town it was often necessary to go to headquarters in order to obtain redress. The Bill proposed that redress should be had by members proceeding against the collector or agent in the place where the members lived. There was a clause which prevented a society enrolled or registered under the Friendly Societies Acts from being incorporated under the Companies Act, 1862. At present members frequently found that, without their consent, the Friendly Society to which they belonged had become a company, and they thereby lost all the privileges to which they would be entitled under the Friendly Society. He would now call their Lordships' attention to the petitions which had been presented against the Bill. Their Lordships were aware that there were in this country numerous Friendly Societies, admirably conducted, and doing most useful work among the labouring classes. The Odd Fellows and the Foresters numbered respectively 400,000 and 200,000 members. He desired to call their attention to the manner in which the petitions which had been presented against the Bill had been got up. A circular had been issued by the President of the Liver Society, which described the Bill as an attempt to curtail, crush, and destroy Friendly Societies and working men's clubs, and to place them entirely under the control of a paternal Government. Another circular had been sent out by the secretary of a different society, urging its collectors and agents to get up petitions signed by all persons above fourteen years of age, on the allegation that the Government were attempting to set up a system of assurance themselves, and to rob the poor by taking from them the management of their own affairs. In this case the petitions came from societies in which it could not be said that the members had any voice in the management; they were managed by committees composed only of collectors and agents in the different places where the members resided. Three societies which had presented a large number of petitions against the Bill were the Royal Liver, the Victoria Legal, and the United Legal. It appeared from official Returns printed for the House that, in a considerable number of cases, the expenditure of Friendly Societies amounted to considerably more than the income; but in that list the Liver Society and the Victoria Legal did not appear. However, from inquiries which he made, he found that the income of the Liver was £140,000 a year, the management expenses £53,000, and the funds in hand £117,000. That Society, which was established in 1850, had more than 600,000 members. He would call their Lordships' attention to the fact that the funds in hand were considerably less than one year's income; and all actuaries concurred in stating that any society which had been in existence only half the time of the Society he had just named, and had not a reserved fund of more than one year's income, must inevitably be insolvent. With regard to the Victoria Legal Society, he found that many returns called for with respect to that Society had not been filled up; but, according to the last annual report of the Society, it appeared that the last year's income was £28,431. The expenses and sums paid for burials were placed in one lump sum at £24,140. Thinking that there was something extraordinary in the manner in which the accounts were made out, he referred them to two persons of great experience, who confirmed his conviction that the accounts were clearly inaccurate; and an actuary of great experience had since stated, as the result of his experience, that there was an inaccurate statement in respect to no less a sum than £1,400. The funds in hand belonging to that Society amounted at the present moment to exactly half a year's income. That Society was established in 1843. The other Society petitioning against the Bill had among its honorary representatives a Member of their Lordships' House, who concurred with him in thinking that the expenditure of the Society was extravagant. These three Societies not only petitioned against the Bill, but prayed to be heard against it—a proceeding which simply meant that statements might be made by the various collectors employed by the Societies as to what they considered the importance of the business carried on by the Societies. One of the clauses of the Bill, bearing on all societies alike, was to the effect that in all cases where a person was admitted a member a policy should be given to him, and also a copy of the rules. He found that this clause also had been petitioned against; but he had mentioned the matter to a deputation which he had received from the Odd Fellows' Society, and he found that there could be no practical difficulty in giving such policies. He thought that their Lordships would see that it was the right of members of these societies to have something to show what their claim really was upon the society. He knew that it frequently happened that persons who had interested themselves for complaining members found that these persons had nothing to prove what their claim upon the society was, or to show what proceedings should be taken. The next point provided for by the Bill was that the Annual Report, or General Statement of the Funds and Effects required to be made to the Registrar under the Friendly Societies Act of 1855, should be made before March, instead of before June, in order that more time might be allowed for taking proceedings, in the event of any proceedings appearing necessary in consequence of irregularities in the accounts. The Bill also required a detailed statement of accounts to be made, specifying the sources from which the income was derived. The Bill also provided for an audit of accounts. He was perfectly well aware that great difficulty attached to any action taken with the object of providing for the auditing of the accounts of those societies; and he did not for a moment mean to contend that the Government should take upon itself so great a responsibility as the duty of seeing that their rules were sufficient, and ascertaining from time to time that they were solvent would involve. He was, however, of opinion that the mere publicity which would be given to the state of their affairs by means of the audit provided for by the clause, under the authority of a County Court Judge, would have the best possible effect in the way of warning persons not to joing a society which was shown to be in an unsatisfactory position. He came in the next place to two clauses, the 9th and 10th, which related to affiliated societies, such as the Odd Fellows and the Foresters. The 9th clause had been framed expressly for the purpose of facilitating the operations of those societies, by saving them the trouble and inconvenience which were the consequence of their being obliged to have the rules of their different branches and lodges throughout the country separately certified; but, as he understood there was some objection to the clause on the part of these affiliated societies, he should offer no opposition to its being withdrawn. The 10th clause, he might add, was meant to give a greater amount of control to the societies to which he had referred over the small branches and lodges which formed a portion of the great whole. It appeared that when the lodges connected with any of those large affiliated societies refused to comply with the rules of the central body, although that body might declare those lodges to be no longer connected with it, the responsibility still rested with it of providing a certain amount of support for some of their members under the operation of the general rules. He would therefore provide that in the event of a lodge being separated from the main society, under the circumstances which he had described, a County Court Judge might make an order that the interest of a member in that lodge should be handed over to the central society, the society taking upon itself the responsibilty of that member's support. He thought that all the provisions of the Bill were well considered with reference to the great object of promoting those habits of frugality among the working class the expediency of which was universally recognized. He now asked their Lordships to read that Bill the second time, he having already assented to an appeal that had been made to him to allow it to be referred to a Select Committee. At the same time he must repeat what he had said the other day, that he attached the greatest possible importance to the Select Committee, if it were appointed, confining itself strictly to the clauses of the Bill, and not going into the general question of Friendly Societies in all its bearings. A subject of such magnitude, and so vitally affecting the interests of the working classes of this country, ought to be fully and searchingly investigated; and it would be worse than useless for their Lordships to attempt to do that in a Select Committee. That very wide question could be properly inquired into only through a Royal Commission, having power to send sub-commissioners into all the large towns of the country, in order to obtain on the spot evidence and information for which they must look in vain in a Select Committee.

*Moved*, "That the Bill be now read 2$^{a}$."—(*The Earl of Lichfield*).

THE EARL OF HARROWBY said, he had been entrusted, for presentation to their Lordships, with a number of petitions emanating from the class of societies on which the noble Earl had commented, but which he was prevented by the forms of the House from presenting at that stage. It was not for him, without an investigation, to contradict the noble Earl's statements in regard to those societies. No doubt the charges for agency and management of Friendly Societies were often heavy; but, on the other hand, it was stated by the parties, that, when they came to carry on transactions of a very minute character, receiving pence from persons who were scattered over a wide area, a very considerable percentage must be expended on collection. But the point to which he wished chiefly to call the noble Earl's attention was this—the noble Earl told them that the whole question of Friendly Societies required a fuller investigation than it could have before a Select Committee of that House, and that he hoped a Royal Commission, for which he intended to move next year, would be appointed to inquire into the whole subject. There were, he understood, ten Acts of Parliament already in existence on that subject; and he should therefore like to know on what ground the noble Earl now proposed to add an eleventh Act to them before the investigation which he desired had taken place into the whole question.

The Earl of MALMESBURY said, he thought that very great credit was due to the noble Earl (the Earl of Lichfield) for the interest and trouble he had taken on a subject of vital consequence, he might almost say, to millions of persons in this country. No one was more anxious than he (the Earl of Malmesbury) was to see so important a question placed on a footing satisfactory to the Legislature and the classes who generally constituted the societies. Yet he could not help being struck, like his noble Friend who had last spoken, by an apparent contradiction in the statement of the Mover, who had said that a vast amount of information was still required on that subject, and that that information could be obtained only by means of a Royal Commission. Now, that seemed to be a good reason for postponing, until after a Royal Commission had reported, legislation on a subject, relating to which, as he was informed, there were not ten or eleven, but twenty-four Acts on the Statute Book. He would, therefore, suggest that the noble Earl, for the very reason he himself had given, that having made a very able and ample statement to the House, and thereby brought the subject before the public, he should wait till another year, hoping that a Commission might be appointed to investigate the whole question; after which he might proceed if he thought fit—and nobody would be more able to do so — to bring the matter to a satisfactory issue.

Motion *agreed to*; Bill read $2^a$ accordingly, and *committed* to a Committee of the Whole House on *Tuesday* the 19*th instant.*

## ENDOWED GRAMMAR SCHOOLS.

### QUESTION.

Lord TAUNTON asked the Lord President, Whether it is his intention to introduce a Bill to provide that offices given in Grammar Schools shall be subject to such regulations in future as Parliament may lay down? It was not his intention to enter into the merits of the Report on Middle Class Education; but he thought it was impossible for anyone to have read the part of that Report which related to the present state of the endowed grammar schools of this country, which were about 800 in number, without seeing that the time had fully come when, if Parliament intended to do its duty by the education of this country, it ought to insist upon putting those schools on a very different footing from that on which they now stood. There could be no security for the good management of these institutions unless power was placed in the hands of the trustees and visitors to dismiss the masters, unless they showed themselves competent to attract scholars and to conduct the schools in a satisfactory manner; and it was also highly necessary that any appointments that might be made to the masterships of grammar schools should be subject to the future action of Parliament. Many of these masters received salaries of £300 and £400 a-year, with a house, and they were bound to receive the pupils that presented themselves. He was far from bringing any charge against the whole body of masters, but many of them had very few pupils, and some were without a single pupil, and pursued a course which was calculated to deter pupils from coming to their schools. One of the Assistant Commissioners reported that he found a case in which the master of an endowed school had but a single pupil, whose education was by no means what might have been expected. When the Assistant Commissioner hinted to this master that he must have mistaken his vocation, and that it was desirable he should retire, he replied, "I do not want pupils. I have £300 a-year, and I will not retire unless on my full salary." And it was doubtful whether anyone could turn him out. The circumstances of the Session were not such as to induce the Government to bring in measures which were likely to be much controverted; but it was important that such a measure should be passed during the present Session, and a Bill of a single clause would be sufficient.

THE DUKE OF MARLBOROUGH said, that great weight and importance should be attached to the observations of the noble Lord, who was Chairman of the Commission on Endowed Grammar Schools. These masters enjoyed a kind of freehold position, and the difficulty of legislation to meet the cases referred to by the noble Lord was increased by the necessity of compensating the masters whose retirement might be thought desirable. He quite concurred in the opinion that no new interests should be created pending legislation on this subject, and he had been in communication with his right hon. Friend the Home Secretary with a view to the introduction of a Bill to limit the interests of those who might be appointed to offices in endowed grammar schools, so that Parliament might be left free to deal with the matter in the next Session. A measure would be prepared at once, and it would be his duty to lay it upon their Lordships' table as soon as possible.

LORD TAUNTON suggested that the Bill might also be applicable to the appointment of new trustees.

THE DUKE OF MARLBOROUGH said, that this matter would be considered by the legal gentleman entrusted with the preparation of the Bill.

## MARRIAGE LAW (IRELAND) AMENDMENT BILL [H.L.]

A Bill for amending the Laws respecting the Solemnization of Marriages in Ireland—Was *presented* by The Marquess of CLANRICARDE ; read 1ª. (No. 89.)

House adjourned at a quarter before Seven o'clock to Thursday next, half-past Ten o' clock.

# HOUSE OF COMMONS,

*Tuesday, May* 5, 1868.

MINUTES.] — PUBLIC BILLS—*Ordered*—Municipal Corporations (Metropolis) ; Corporation of London* ; Stockbrokers (Ireland).*

## IRELAND—CATTLE PLAGUE.

### QUESTION.

MR. GREGORY said, he wished to ask the Chief Secretary for Ireland, If he will lay before the House the detail of the expenditure of the sum levied over Ireland to meet preliminary expenses in anticipation of the cattle plague?

THE EARL OF MAYO said, in reply, that the accounts were nearly completed, and the details would be laid on the Table as soon as possible. A small sum remained in hand which had not been expended.

## IRELAND — DEATHS FROM SMALLPOX.

### QUESTION.

MR. GREGORY said, he would now beg to ask the Chief Secretary for Ireland, Whether he is about to give instructions to the Constabulary in the case of deaths from smallpox, caused by inoculation, to endeavour to procure an inquest to be held, in order, if possible, to obtain a conviction for manslaughter, or for an offence against the Vaccination Act?

THE EARL OF MAYO, in reply, said, instructions had been given to the Constabulary in cases where deaths occurred under the circumstances referred to by the hon. Member for Galway to cause an inquest to be held. Those instructions, however were confined to certain localities, with regard to which information had been received. But if it were desired that the instructions should be made general, he had no objecton whatever to that course.

## IRELAND—HABEAS CORPUS ACT.

### QUESTION.

MR. BAGWELL said, he wished to ask the Chief Secretary for Ireland, Whether, considering the present tranquil state of Ireland, he conceives it necessary to keep prisoners arrested under the suspension of the Habeas Corpus Act any longer in confinement; and, whether he will state to the House the number at present under confinement under the above Act?

THE EARL OF MAYO: Sir, when I moved for leave to introduce a Bill for the further extension of the Habeas Corpus Act there were ninety-six persons in confinement in Ireland under the Lord Lieutenant's warrant. I am happy to be able to state that this morning there were only twenty-three persons in confinement under the provisions of that Act, and, of those twenty-three, orders for the release of fourteen have already been made, on condition either that they leave the country or give solvent bail. As the House will see, there is reason to hope that before long any practical consequences of the suspension of the Habeas Corpus Act in Ireland will have ceased.

## REPRESENTATION OF THE PEOPLE ACT, 1867—COMPOUND-HOUSEHOLDERS.

### QUESTION.

MR. SCHREIBER said, he would beg to ask the First Lord of the Treasury, with reference to his Answer of the 18th of February upon the same subject, When he will state what recommendations he is prepared to make for the enfranchisement of "compound-householders in parishes not within existing borough boundaries, but which might be wholly or in part added to boroughs," and of whom the Boundary Commissioners report that "they will be precluded from qualifying as voters in the year 1869, unless some special provision is made for their protection?" He had understood the right hon. Gentleman on a former occasion to admit the importance of this question, and to state that it had not escaped the attention of the Government; but, finding no reference to the matter in the Boundary Bill as laid upon the table, he felt it right to ask this question. ["Order!"]

MR. DISRAELI: Sir, the observations of the hon. Gentleman are quite justified. It was considered expedient that the remedy required should not be included in the Boundary Bill as laid upon the table; but that, when the Measure had gone through Committee, I should, if necessary, propose a clause upon the subject. Of course, it is quite possible that the matter may have previously received the attention of the Committee upon the Bill.

## SCHOOL AND TRAINING SHIPS.

### QUESTION.

MR. WHALLEY said, he would beg to ask the First Lord of the Admiralty, with reference to the sale of such of Her Majesty's ships as are not now required for the Service, Whether the use of such ships might be obtained for Schools or other public purposes, subject to such conditions for their preservation, and their return when required, as the Admiralty may prescribe?

LORD HENRY LENNOX said, in reply, that the Admiralty had already in many instances given ships for the purposes specified by the hon. Gentleman, and would be glad to do so where this was possible and compatible with the public service. At the same time he must point out that, in many cases, the societies not only asked for the loan of ships, but required that these should be refitted, caulked, and otherwise repaired at very large cost, for which no provision could be made in the Naval Estimates.

## DEBATES IN THE HOUSE OF LORDS.

### QUESTION.

MR. DARBY GRIFFITH said, he would beg to ask Mr. Speaker, Whether the direct allusions made that evening by the right hon. Gentleman (Mr. Disraeli) to what had taken place in the House of Lords was in order?

MR. SPEAKER: The rule of the House is, that allusion to debates in the other House of Parliament should not be made in this. It would have been competent to the hon. Member to have risen to order, if he had thought fit this evening; but it is scarcely possible that, under all circumstances, the rule can be construed in an absolutely literal manner. When declarations have been made by Ministers of the Crown, particularly as affecting the position of this House, exceptions have been made to the strict observance of this particular rule.

## BOUNDARY BILL.—QUESTION.

MR. HIBBERT said, he would beg to ask the Secretary of State for the Home Department, When the Boundaries Bill would be brought on?

MR. GATHORNE HARDY said, in reply, that he had expected to proceed with the Boundary Bill on Thursday; but, as that day had been given up to the right hon. Gentleman the Member for South Lancashire for his remaining Resolutions, he feared he should not be able to do so. He would, however, proceed with it on the earliest possible day.

## ARMY—RESERVE FORCES.—QUESTION.

The Marquess of HARTINGTON said, he would beg to ask the Secretary of State for War, Whether any regulations for the Army Reserve or Militia Reserve Forces have been made under the "Army Reserve Act, 1867," and the "Militia Reserve Act, 1867;" whether any instructions with reference to the latter force have been issued to Commanding Officers of Militia Regiments now called out for training; and, whether he will lay such regulations and instructions upon the Table of the House?

Sir JOHN PAKINGTON said, in reply, that regulations had been made under both Acts. Those regulations would be issued immediately, and laid on the table of the House.

## MINISTERIAL STATEMENT—DEFEAT OF THE GOVERNMENT ON THE IRISH CHURCH RESOLUTIONS—QUESTION.

Mr. GLADSTONE: I rise, Sir, to put a Question to the right hon. Gentleman at the head of Her Majesty's Government which will require some explanation; and I will therefore commence by moving the adjournment of the House. I think the justification of that course will appear from the matter which I have to state. I did not expect, when I closed the remarks which I had to make to the House yesterday afternoon, on the subject of the Ministerial Explanations, that it would be my duty to revert to that matter at so early a date. But the character of the debate which took place in this House was unexpectedly altered by a remarkable declaration, withheld from us by the Prime Minister during the lengthened speech which he addressed to us at the commencement of the Sitting, and given in so enigmatical a manner and at such a period that neither my hon. Friends who sit about me, nor I myself, were in a condition to follow him or to comment upon that speech. But even that declaration, enigmatical as it was, does not constitute the whole, or even the main part, of the subject which I wish to bring under the notice of the Government and the House, and with respect to which I am about to put a Question to the right hon. Gentleman at the head of the Government. I must remind the House briefly of what occurred with regard to an essential portion of the right hon. Gentleman's communication. The right hon. Gentleman told us at the commencement of the Sitting that the advice Ministers had tendered to the Crown was to dissolve the present Parliament; but that if, for any reason, Her Majesty saw cause to prefer a different course, and to ask the advice of other persons, Her Majesty's Government would place their resignation in Her Majesty's hands. Her Majesty, said the right hon. Gentleman, did not accept their resignation, and she was ready—I am quoting now what I believe to have been his words, but up to this time I have only given the substance of them—"she was ready to dissolve this Parliament as soon as the state of Public Business would permit." I myself, Sir—and, I believe, the whole House—distinctly understood the meaning of those words; and I testified, and others did so too in the remarks which they offered, that, according to our view, the advice offered as to an immediate dissolution had not been taken, that the resignation of the Government had not been accepted, and that the condition in which we stood was this—the Government proposed to carry on the Public Business until after the completion of those portions of business which they had declared to be essential—namely, business having relation to the subject of Reform—when they should be in a condition to advise Her Majesty to dissolve the present Parliament. The reference to such a dissolution was undoubtedly not open to objection; although, on other grounds, it was my duty to take exception to the statement made by the right hon. Gentleman, and other Members took exception to it likewise with great justice upon other points. One of them, in particular, my hon. and learned Friend the Member for the Tower Hamlets (Mr. Ayrton), rightly charged that the right hon. Gentleman, by the mode of his communication to the House, for the first time, I believe, in recent history, certainly within the recollection of the present generation, or, as far as I know, within any other recollection,—seemed to make Her Majesty the suggester of the course which was about to be pursued by the Government, instead of the acceptor or rejector of the simple and single advice tendered by them to her, as has been the case on every former occasion. However, feeling the absorbing interest and importance of a great public question, I think I may say for some, if not all of us, who sit on this side of the House, that we were desirous to pass by topics purely political, and in that strain the debate was closed. But, at the close of the debate, the right hon. Gentleman gave us, in that enigmatic manner which is so peculiar to him, a most important addition, which was likewise, in fact, an alteration of the speech which he had made, because he signified that Her Majesty had given an unqualified assent to a dissolution of Parliament, without reference to the new or to the old constituency. Had I had the power of following the right hon. Gentleman, I should have asked for an explanation of that statement. I own it excited my suspicion; I thought that it meant more than the words were intended at the moment to convey, and that it was a sort of cover for future and ulterior designs. But I wish now to illustrate that which occurred at the close of our debate, when none of us who had entered into it were in a condition to comment on the statement of the right hon. Gentleman, and when the House, at the approach of the inevitable hour of dinner, had sunk to low water mark. The illustration which it appears to have received from a statement made elsewhere is really most significant. It signifies not to me in what other place this statement was made. I am not going to run across either the letter or the spirit of any of our rules—I speak of statements credibly reported to have been made, it matters not in what place, by responsible Advisers of the Crown; and it is upon this statement that I wish to put a distinct question to Her Majesty's Government—a question which, I trust, will lead, either upon this or upon some other occasion, if it should be requisite, to an answer equally clear and distinct. It appears that one Member of the Cabinet (the Earl of Malmesbury) made a declaration elsewhere which was in precise concurrence and agreement, so far as I am able to learn or to comprehend it, with the first edition of the statement of the right hon. Gentleman. After that had been done, exception was taken to that statement upon grounds essentially similar to part of the objections taken in this House, and a question appears likewise to have been put asking for further information from the Government. In answer to that question the Duke of Richmond is reported to have spoken, and to have touched upon one or two points to which in my remarks I have referred. In the early part of what fell from him, he is reported to have said—

> "I can only recapitulate imperfectly what my noble Friend (the Earl of Malmesbury) stated so clearly as to the position of affairs at this moment. The Prime Minister, on the part of his Colleagues, tendered to his Sovereign the resignation of their Offices on Friday afternoon. Her Majesty took time to consider the matter, and received the Prime Minister again in audience upon Saturday."—[3 *Hansard*, cxci. 1690.]

Now, Sir, I submit to the House that is a statement totally different from the one made by the right hon. Gentleman. ["No, no!"] That is a statement that the Prime Minister went down to Osborne and tendered the resignation of the Government to the Queen. I do not now inquire how it was, and why it was, the Duke of Richmond gave that form to his statement—I have no doubt in perfect integrity—because that is a matter which may call for further comment. ["Oh, oh!"] No doubt, it is the wish of the hon. Gentlemen who interrupt me that no such comment should be made; but the duties incumbent on Members of this House are not to be discharged otherwise than in accordance with our deliberate convictions and sense of what is right. Sir, as to the statement made, what I want to point out is this, if I have not made myself clear:—The right hon. Gentleman said he went down to Osborne and advised a dissolution, but if Her Majesty should see fit not to accept that advice he tendered his resignation. The statement of the Duke of Richmond yesterday was that the right hon. Gentleman tendered his resignation on Friday. The noble Duke did not say a word about the right hon. Gentleman having advised a dissolution. That is the first discrepancy I wish to notice, and respecting which I wish for information. I want to know whether this statement is accurate and correct. But I pass on to a matter equally unintelligible, and I think more weighty and more important—in truth a matter calling for the gravest attention of this House—I will not say now, because that may depend on the Answers which may be given, but probably hereafter. The remainder of the statement is as follows:—After the noble Duke announced that Her Majesty had declined the resignation, and that the Government would continue to conduct the public affairs as long as they were able to do so, he is reported to have gone on and spoken as follows:—

> "And in the event of any difficulties arising, Her Majesty was graciously pleased to state that she would make no objection to a dissolution of Parliament."—[*Ibid.*]

The noble Duke then appears to have proceeded to reiterate that important statement. I may say I have endeavoured as well as I was able to ascertain whether the report of the noble Duke's observations is correct. With that object I have applied to one very competent witness, and the evidence I have received is that it is correct. Well, then the noble Duke is reported to have made these further observations—

> "It of course will depend upon the state of affairs whether that dissolution shall be a dissolution under the existing constituency, or whether it shall be a dissolution under the new constituency to be formed under the Reform Acts; but Her Majesty was graciously pleased to state that she would make no objection to either course being adopted by her Advisers whenever they should see fit to tender to Her Majesty a recommendation on that subject."—[3 *Hansard*, cxci. 1690.]

[*Cheers.*] Now, Sir, in the first place, I hear cheers which I think it material to note from the opposite side, as I presume they are an indication of the opinion of the hon. Gentlemen who utter them that the sentiments expressed by the noble Duke are right and constitutional sentiments. I am not about to ask the right hon. Gentleman, or the Government, whether Her Majesty did say she would make no objection to a dissolution, or to any other course being adopted by her Advisers when they should think fit. Sir, a long experience of over thirty years has satisfied this House and the country that Her Majesty well deserves —if ever any Sovereign deserved—this simple testimony, that she knows and that she has ever walked in the lines and pathways of the Constitution. It is not for one moment to be supposed that there is the slightest question to be raised on that subject. I gladly echo back the just statement of the right hon. Gentleman that to the advantage of having acquired a thorough knowledge of the principles of the Constitution Her Majesty possesses, in addition, the inestimable advantage of what he pointedly, and not unjustly, described as "a vast experience of public affairs." Sir, my question is not as to what has taken place, or to what has not taken place, between the Sovereign and her Ministers; it is simply as to the words purporting to have been spoken by these Ministers themselves. These are words respecting which I wish to know whether they are avowed or disavowed by the right hon. Gentleman for the whole Government. We have heard enough, indeed, of differences in the speeches of Members of the Cabinet. The noble Lord the Secretary for Foreign Affairs sits within one of the right hon. Gentleman the Home Secretary, and the latter right hon. Gentleman sits within one of the First Commissioner of Works. I need not refer to the icy temperature of the discussion which was raised by the Foreign Secretary in dealing with the vote on the Irish Church, nor to the glowing language in which some of his Colleagues described the glory of the task they had undertaken, nor to the devoted avowal made by the First Commissioner of Works —that he sits on those Benches for the purpose of defending the Irish Establishment, and that he will not sit on them when he can no longer do so for that purpose. But this is a totally different matter. It is one respecting a declaration made by Ministers of the Crown, and purporting to define the relative positions of the Crown, the Government, and the House of Commons. In making such a declaration the Member of the Government who addresses Parliament speaks for the whole Cabinet; and to the very least syllable of a statement such as this we are entitled, we are bound, to ask the Government whether they adopt the statement of their Colleague? As to the meaning of the statement itself I need say but little. I think it is plain enough. The Duke of Richmond tells us that leave for a dissolution had been obtained by the Government beforehand in anticipation of events, with reference to cases which have not arisen, with reference to the entire course of public business; not simply, though that would be quite enough—and wholly without precedent—in respect of the Irish Church, but in respect of every stage of any Bill which may come before the House of Commons. He parades this leave before our faces—this leave to dissolve the House of Commons in case difficulties should arise, that is, in case any of its votes should be displeasing to Her Majesty's Government. Having stated the meaning of that language, I carefully refrain at the present moment from going further. My duty is to make the request —I think a not unreasonable one—that this language may either be explicitly adopted or explicitly disavowed. As to what may follow such adoption or disavowal it is perfectly unnecessary for me to speculate; my business is to ascertain the fact. I know that perhaps amid the pressure and distraction of affairs it is possible, though hardly probable, that the right hon. Gentleman has not become acquainted with the exact expressions used in "another place."

It would be most unjust on my part to press for an answer to an inquiry which, so far as the right hon. Gentleman is concerned, may be a hypothetical inquiry. I have no objection, therefore, to his taking time to ascertain the facts; but I ask for a distinct and intelligible answer to these Questions: First, whether language of this kind was used by the Duke of Richmond, now one of the confidential Advisers of the Crown; secondly, if it was so used, whether it is adopted by Her Majesty's Governmnet as signifying the relations in which they stand to the House of Commons, and the position in which they would ask the House of Commons to continue to discharge its functions in the execution of the legislative business of the country?

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Gladstone.*)

Mr. DISRAELI: I would first observe that I had myself yesterday no wish whatever to again address the House; but pointed inquiries were made to me on particular heads, and it was necessary therefore that I should reply to them; and I had an opportunity of replying to them subsequently to my original statement, an hon. Gentleman having moved the adjournment of the House. That would have given the right hon. Gentleman opposite (Mr. Gladstone)—although he had spoken previously—an opportunity of speaking again. Therefore the remark of the right hon. Gentleman that he was silent and reticent then because the forms of the House would not allow of his noticing my observations really has no foundation. It was perfectly open to the right hon. Gentleman to make any comments whatever on any discrepancy which he may have thought he observed in my statements as to the audiences graciously accorded to me by Her Majesty. But the right hon. Gentleman was silent. I do not think that on subjects of this kind there ought to be any difference of opinion between the two sides of the House. It is for the interest and the honour of both sides of the House that on a matter of such grave import there should be no misunderstanding. We may all use expressions which are liable to misinterpretation; but I do unequivocally maintain that there was not the slightest difference—certainly not the slightest intentional difference—between my original and my subsequent statement as to what occurred at the audience which Her Majesty graciously accorded to me. That there was a misunderstanding, however, on the part of the right hon. Gentleman and of other hon. Gentlemen as to one point was very obvious to me as the discussion went on, and accordingly at the right time I took the opportunity of correcting that misunderstanding. I will again repeat very succinctly, but very accurately, what occurred when, by Her Majesty's gracious permission, I attended Her Majesty at Osborne. After putting Her Majesty in possession of the views entertained by the Government of their position, I did at once, considering the present state of affairs, recommend a dissolution of Parliament, not only in justice to Her Majesty's Government, but for the sake of obtaining the decision of the country on the great question at stake. I understand that this is the statement I made last night, and I repeat that statement. I did also, when in audience of Her Majesty, add, in reference to the first and inferior motive of that advice—namely, the personal claims of the Ministers—that if Her Majesty thought a more satisfactory settlement of the question at issue could be attained, or that the best interests of the country would be better considered by our immediately retiring from Her Majesty's service, we should retire only with that feeling of gratitude to which the right hon. Gentleman has referred. The advice then which I gave, with the full consent of my Colleagues, was, to advise Her Majesty to an immediate dissolution—to a dissolution of Parliament "as soon as"—according to custom and the constitutional phrase—"as soon as the state of Public Business would permit." That was the statement which I made, or certainly intended to make, to the House, and I believe that is generally recognized as the statement which I made.

Mr. BRIGHT: As I do not wish the right hon. Gentleman to rise in order to explain again, I wish to ask him whether the recommendation made to Her Majesty referred to a dissolution with the present constituency?

Mr. DISRAELI: What I complain of, and what has led to misapprehension, is that when a person in my position comes here and makes what he intends to be a clear and plain statement of what occurred, hon. Gentlemen rise up and interpose matters which really have nothing to do with the question—["Oh, oh!"]—nothing to do with what I am stating. I have stated what occurred in that audience; but when I have made what I think was a very clear statement on that subject the hon. Gentleman gets up and says, "But did you refer to something else?" I repeat my statement as I made it. We recommended absolutely and unequivocally, without reference to any particular circumstances, that Her Majesty should dissolve Parliament for a particular reason ,as soon as the state of Public Business would permit. And Her Majesty, without reference to any point such as the hon. Gentleman mentions, ultimately sanctioned that advice, refusing to accept our resignations, and expressing her readiness to dissolve Parliament as soon as the Public Business would permit. That was the statement which I made last night. I afterwards, having Her Majesty's permission to speak frankly to the House, and wishing, as indeed, it was my duty, to conceal nothing, but simply to discharge my duty to the House, made a statement in reference to the meaning which the House might wish to ascribe to the phrase "when the state of Public Business will permit." And I need not remind the House that I was in a position in which no Minister was ever placed before, because the circumstances which now exist never existed before. Therefore it was my duty to lay those circumstances before Her Majesty; but this had nothing to do with the original advice given, or with the original decision of Her Majesty. I had to state facts which are perfectly familiar to every Gentleman in this House—that there is an existing constituency and a newer constituency—which matters Her Majesty must have been well acquainted with, although I nevertheless felt I ought to bring them directly under Her Majesty's notice. I did hope that if we gave up all the Bills which we had introduced into the House, and confined our attention merely to the supplementary measures connected with the Reform Act, the House would act cordially with the Ministry, so that we might be able to bring affairs to so expeditious a conclusion that the General Election might be taken by an appeal to the new constituency. That is what I conveyed to the House yesterday—that was the observation which I felt it my duty to make to Her Majesty, and I could not have appeared in this House upon the subject without frankly communicating the fact in the same spirit to the House. But that has nothing whatever to do with the original object of my visit to Osborne. I did at once, in consequence of the state of affairs, and in consequence of the position in which we were placed, recommend a dissolution of Parliament; and, as I have already stated to the House, I did, on behalf of myself and my Colleagues, tender our resignations. Her Majesty refused to accept our resignations, and sanctioned a dissolution of Parleament as soon as the state of Public Business should permit. I am sorry to have been under the necessity of going at any length into this subject on the present occasion; but after the remarks of the right hon. Gentleman, it was absolutely necessary that I should put the matter clearly before the House. And now, Sir, I think that, having been the Minister who was in audience of the Queen, my statement on this subject may be taken as the authentic statement; and if a statement is made in "another place" by a Minister who is my Colleague, and which may be different from the statement I have made here—and I must candidly say I was entirely unaware, until the right hon. Gentleman told the House this evening, that any remarks of the kind had been made, for I have had no opportunity of making myself acquainted with them—but if any of my Colleagues in "another place" have conveyed a different impression to the House in which they sit, it appears to me that—I having been the Minister who was in audience of the Sovereign, and who came down here to make an authentic statement by Her Majesty's command and permission—the logical consequence would be that my Colleague in "another place" should be called upon to explain the differences between the statement alleged by the right hon. Gentleman to have been made there and the statement made by the Chief Minister, who has been in audience of the Queen, and who, by Her Majesty's command and permission, came down to the House of Commons to tell the whole truth and nothing but the truth.

Mr. BOUVERIE: If a Member of this House wished to ascertain what had been stated by a Member of the Government in "another place," the proper course to take would be to ask a question of the right hon. Gentleman opposite. My right hon. Friend does not sit in the other House, and consequently has no opportunity of questioning the Colleague of the right hon. Gentleman. He has, however, a legitimate and proper opportunity of questioning the right hon. Gentleman here, and why the right hon. Gentleman has complained of my right hon. Friend's giving him an opportunity of giving an explanation in this House I, for one, am at a loss to understand. I admit there may be a defect of understanding on my part; but still I think there is an ambiguity in the statement of the right hon. Gentleman, who has not told us whether the dissolution which he recommended to Her Majesty, and which her Majesty sanctioned, will be with the present or the future constituency. Now, the Duke of Richmond, as I understand, stated in "another place"—and the accuracy of the report is not disputed—that the power of dissolution was in the alternative, and the important business still before this House is to be conducted under the impression, at any rate in this House, that if the Ministry are defeated a second, or rather a fourth, time, then, at last a dissolution is to come. Those who have been at a public school know what "a first fault" is; but it appears that, according to this new constitutional doctrine, the right hon. Gentleman, according to the explanation of the Duke of Richmond, has gone a step further than he enunciated yesterday, and now the doctrine seems to be that, if the Government suffer a tremendous defeat once, or twice, or three times, it shall count for nothing; but that, if they are defeated again, there shall certainly be a dissolution and an appeal to the existing constituency. Now, that seems far worse than anything which has been yet proposed. On this point let me appeal to the good sense of the right hon. Gentleman opposite, who has a considerable knowledge of constitutional practice. How is it possible for the deliberations of this House to be fairly conducted, or for the relations between the House and the Crown and its Ministers to be properly maintained, if this is to be the understanding? I think all this follows from the course which the right hon. Gentleman has pursued. I insist upon it that it is a sound doctrine that, under such circumstances as exist at present, Government ought either to resign or dissolve; and, in the latter event, they ought to state distinctly and clearly that they will only just conclude the business already in hand, appealing to the good sense of the House to assist them in doing so. Now, if you are determined, as the right hon. Gentleman intimated yesterday, to carry on this Parliament till the new constituency have had an opportunity of expressing their opinion, eight or nine months must certainly elapse—and possibly eighteen or nineteen months—before we can have a dissolution, because the Scotch and Irish Reform Bills now stand in the position which the English Reform Bill occupied last year; and, if we are to have long and elaborate discussions in Committee on the clauses of those Bills, it is not at all unlikely that, at the close of the discussions, some demand may be made that the register of the new voters in Scotland and Ireland should not come into operation till the succeeding year, so that a further lease of Office will be given to the Government. It comes to this—the House of Commons have distinctly expressed this want of confidence by an overpowering vote. [*Cries of* "Move!"] I say there has been a Vote of Want of Confidence of the House on the Irish ecclesiastical policy of the Government. I contend, and without dread of dispute, that this was not, as the right hon. Gentleman alleged yesterday, an unprovoked and unnecessary move on the part of the Opposition; but that it was provoked by the Government stating and inviting an opinion upon their Irish Church policy. Then, what was the meaning of the vote to which we came? It was that we had no confidence in the Irish ecclesiastical policy of Her Majesty's Government; that we did not approve the principle of levelling up rather than the principle of levelling down; that we had a distinct policy which was the exact contrary of that of the right hon. Gentleman, and that in this most material respect we had not the slightest confidence in the Government. That is equivalent to what has been admitted in the past practice and history of this House to be substantially a Vote of Want of Confidence. It is idle, after a Resolution of that kind has been carried by such a majority, to say—"It is true you may not like our Irish Church policy; you may not think it right to endow a new Roman Catholic College, nor to increase the *Regium Donum*; but look how unassailable are our foreign administration, our Indian government, and our financial management." That is no answer to the vote of this House that, in respect of their Irish Church policy, the Government does not possess our confidence.

Mr. SANDFORD said, that the statement of the noble Duke in "another place" was perfectly plain, straightforward, and was expressed in language not so cautious and not so mystifying as that of the right hon. Gentleman at the head of the Government. The statement that the right hon.

Gentleman had just made was in perfect accordance with the narrative of the noble Duke; but he must confess that, after hearing the first statement of the right hon. Gentleman, he laboured under a very different impression of what had taken place than he did after hearing the explanations of this evening. What he understood this evening was that the right hon. Gentleman had advised a dissolution of this House, and Her Majesty had consented to it, and, further, that the right hon. Gentleman was prepared to press that dissolution, not upon any necessary measures for completing the Reform Bills, but only if, upon the introduction of any new matter or subject, a vote equal to a Vote of Want of Confidence were carried. If he understood the right hon. Gentleman — and it was a point that should be cleared up—the House was at perfect liberty to alter the Irish and Scotch Reform Bills and the Boundary Bill as it pleased. He hoped the House would not endorse that it should enter into legislation on these matters with the threat of dissolution hanging over its head. He could have understood the right hon. Gentleman stating that the Government were perfectly willing to complete the work of Reform and then to dissolve, that would be a fair and just proposition; but if the right hon. Gentleman meant to say he had the power in his pocket to dissolve the House if it altered the Scotch or Irish Reform Bills, or rejected the Boundary Bill, that was a most unconstitutional proceeding on the part of any Minister. The declaration of the noble Duke appeared to have been amply borne out by the right hon. Gentleman.

MR. CARDWELL: The right hon. Gentleman says that if anybody questions a statement that has been made, or supposed to have been made by one of his Colleagues, the logical course is to put a question to that Colleague himself. It appears to me that when we want to know whether the language of a Colleague of the right hon. Gentleman is the language of the collective Government, acknowledged, approved, and avowed by the right hon. Gentleman himself, and when we speak of transactions in which the right hon. Gentleman, and not his Colleague, took a part, whatever the logical course may be, the fair and straightforward course is to propound a question to the right hon. Gentleman himself, and if there is no mystery at the bottom of this matter there will be no difficulty in giving a simple answer to the question. It is our bounden duty to see whether there is any mystery, or whether there is plainness and straightforwardness on the part of the right hon. Gentleman and the Government. In the reply of the right hon. Gentleman last night he used these words—

> "Her Majesty did not accept our resignations, and gave her unqualified assent to a dissolution of Parliament, without the least reference to old or new constituencies."—[3 *Hansard*, cxci. 1742.]

Now, Sir, in those words, taken by themselves, there is not rising to the surface, perhaps, the appearance of a menace or threat; but these words do not stand by themselves; they are explained by other words which have been used by a person justified in speaking on the part of the right hon. Gentleman. He refers to the same transaction, and his words are these—

> "We intend to conduct the affairs of the country so long as we are able to do so; and in the event of any difficulties arising Her Majesty was graciously pleased to state she would make no objection to a dissolution of Parliament. It, of course, will depend upon the state of affairs whether that dissolution shall be a dissolution under the existing constituency or whether it shall be a dissolution under the new constituency to be formed under the Reform Acts."—[3 *Hansard*, cxci. 1690.]

Now, Sir, we have a practical object in endeavouring to obtain an answer to this question. As long as I have been in Parliament, or have read anything even of the rudiments of the Constitution, I have believed there were two things which to violate was to violate the essential condition of freedom in this country: one was to give the Sovereign the appearance of expressing an opinion to Parliament, and the other was placing Parliament in reality or in appearance under the menace or threat of dissolution. Now, Sir, it appears to me upon the statement of the right hon. Gentleman—it is not yet clear, but we are giving the right hon. Gentleman a fair and straightforward opportunity of saying whether it be the case—firstly, that he tendered simple, unqualified, direct advice to his Sovereign, and not contingent or optional advice; and secondly, he is not now placing us under the menace or threat of a dissolution in regard to the future conduct of our business in this House. That was the object of the question propounded by my right hon. Friend. I humbly submit to the House it cannot be put off by clever phrases and ingenious evasions in debate; and that we are entitled to be told in what character we are about to legislate during the short remainder of the Session, and whether we are the free representatives of those who sent us here or we only hold our places at the will and pleasure of the right hon. Gentleman?

SIR STAFFORD NORTHCOTE: My right hon. Friend the Member for the city of Oxford (Mr. Cardwell), has put an intelligible and very simple question, to which the Government are able to give a very intelligible and simple reply. But the question as it was originally put by the right hon. Gentleman opposite (Mr. Gladstone) was one which it was not perfectly easy to understand, and still less easy to answer. The question as it was put had reference to what had been said by my noble Friend (the Duke of Richmond) in "another place." My right hon. Friend the First Minister had not read or seen the report of what the Duke of Richmond had said; and I may say for myself, that I also had not seen it; but a question has now been put by the right hon. Member for the City of Oxford to which the Government have not the smallest difficulty in giving an answer. The right hon. Gentleman asks, whether it is to be understood that the Government hold out to the House any menace of a dissolution. ["No, no!"] It will be in the recollection of the House whether that was not the question of the right hon. Gentleman. We were asked, unless I misunderstood the right hon. Gentleman, this question, whether it was to be understood, in the account which my right hon. Friend had given of his interview with Her Majesty, and of Her Majesty's expressions of approval of the recommendation that had been made to her, that a menace was held out to this House by which the House was to be considered to proceed to wind-up the business which now lies before it under the threat of a dissolution. I say at once, on the part of the Government, there was no intention of that sort, and that no such menace was held out.

MR. AYRTON said, that, having listened attentively to the right hon. Gentleman at the head of the Government yesterday, he had failed to understand the exact situation of affairs, which, therefore, might not be so well understood by other hon. Members and throughout the country as it ought to be. He had been enlightened by the statement made in "another place," and he had listened to the further explanations that had now been made, and he was now more confused than he was before any explanation was given. He was inclined to think this confusion arose from the fact that the Prime Minister had given the House, not a statement of what took place between himself and his Sovereign, but a short summary of his own idea of the communications which passed between them. ["Oh!"] He must repeat that assertion, and adhere to it, because the right hon. Gentleman did not profess to give an account of the communications between his Sovereign and himself; but he gave only the effect of it; and the communications could not have been of the brief nature he had described to the House. In attempting to give a short version of what must have taken place he might have done justice to himself; but it was not so clear he had done full justice to his Sovereign. A very painful impression would be created throughout the country, and more especially in Ireland, when the full nature of the right hon. Gentleman's statement of the result of his communication with his Sovereign was understood. For what was that result? Did the right hon. Gentleman tell his Sovereign that a great majority of the House of Commons had, after full discussion, deliberately resolved upon a policy with the object of satisfying the people of Ireland, and that it was necessary, in the opinion of the great majority of the House, that that policy should be immediately carried into effect? Did he tell his Sovereign that he was determined to resist that policy to the utmost, and would use all the power and influence of the Government for the purpose of setting at defiance the deliberate judgment of the House of Commons? Did he ask to be left in Office for that purpose; and was it for that purpose his Sovereign said he should not resign, but should continue to administer public affairs? The House must know something more of the circumstances under which the right hon. Gentleman said he tendered his resignation, which his Sovereign refused to accept? Did the right hon. Gentleman advise his Sovereign to accept his resignation? This practice of tendering a resignation was unintelligible unless it was accompanied by the most solemn advice to the Sovereign to accept it, and unless all the arguments were used which were necessary to induce the Sovereign to accept it. ["Oh, oh!"] If this were not done, how could a Minister of the Crown suggest that the Sovereign was keeping him in Office for the purpose of resisting the deliberate judgment of the House of Commons? It was absolutely necessary to explain the whole interview, and not the effect of it, when that effect was to give a character to a Ministry at the expense of the Sovereign. Then, in a further communication with the Sovereign, language was used of a most equivocal character. This was when a suggestion was made that Parliament should be dissolved "as soon as the state of Public Business would admit." In the ordinary sense of those words they meant that Parliament would be dissolved within a fortnight. If such language were addressed to any hon. Member conversant with public affairs, and he were told that Parliament was to be dissolved as soon as the state of Public Business would admit, he would at once understand that there would be a dissolution within a fortnight. Was that the sense in which this recommendation was made to Her Majesty, or had it some different meaning? If so, it was an ambiguous piece of advice, leading to no satisfactory result. They had not, as it appeared to him, had a fair and frank statement of what took place between the Sovereign and the First Minister, and he was prepared to repeat the assertion that the name of the Sovereign had been used towards the House in a manner wholly unjustifiable. What was the proposition that had been made to the House? The right hon. Gentleman asked the great majority of the House to come to this extraordinary bargain, that they should abdicate their functions during the residue of the Session, and refuse to proceed with the Public Business submitted for their consideration, and that for no purpose that he could conceive, save to keep the present Government in Office. He wanted to know whether, when such a proposition was made, the House did not feel itself outraged when it was asked to abdicate all its functions, forego all its privileges, and postpone all its business, for no other object than to gratify the ambition of the First Minister of the Crown?

Mr. GRAVES: I would not have risen at the present moment if I were not actuated by a strong feeling, which I believe to be shared by many of the Independent Members of this House, and I hope that they will not hesitate to express their opinion upon the present aspect of affairs. If I have hitherto remained silent on the obstruction to the business of this House which is caused by these discussions, it is not because the questions which now occupy so much of our time might not have been as well dealt with at the close of the Session, when they would not have stood in the way of others, but because I felt that any appeal to either side of the House would be received as useless. But if I have hitherto remained quiescent in this state of things, that is no reason for my continuing to do so, and allow, without observation, the ordinary business of this House to be obstructed night after night as it has hitherto been. I, for one, enter my protest against this state of affairs. I do not wish to use harsh words. I would rather throw oil on the troubled waters. But I think it deserves consideration, whether it is right or just that questions, however grave and important in themselves, should be allowed to monopolize the whole of our time, especially when suddenly interposed? The half of the present Session is now run, and we have Estimates that are still to be approved by the House; we have the Scotch and Irish Reform Bills almost untouched; we have the Boundary Bill and the Bribery Bill to consider; we have the Education and the Bankruptcy measure to discuss. These might be small matters in comparison with the topics of factious party warfare; but they are matters of grave consideration for the country at large, and I urge them on the fair and candid consideration of the House at large, and not with a view to the interests of the one side or the other. We have these measures; and, what is more, we were told by the noble Lord the Chief Secretary for Ireland that he had a measure prepared for the settlement of the land question in Ireland, and I, who know something of that question, tell the right hon. Member for South Lancashire that if he had taken up the Irish land question he would have earned the lasting gratitude of Ireland, and not the lasting bitterness which will follow his attempt to overthrow a Church. These are the reasons which have induced me to bring the House back to the business that lies before it; and I appeal to Independent Members on both sides of the House to condemn this system of perpetual party warfare. I do not wish to impute motives, or I should allude to the semblance of wilful obstruction. The business of the House has come to a dead lock, and unless those Members who are above party feeling will step in and interfere in a bold and decided manner, the present state of things will be anything but creditable to us. Men come here from different motives: some for amusement, some for occupation, some for place. But there are also some who come here from a simple and earnest desire to do their duty, and to assist in carrying out the practical legislation of the country, and to do this they make great sacrifices. But I begin to think that such men are out of place in this House. My experience has certainly not been of great duration, but I speak of the experience of the last few Sessions, and especially so far as the experience of the present year. I know I need not appeal to the right hon. Member for South Lancashire, because he has committed himself to a course which, however unexpectedly introduced to this House—however some may regard it as an obstruction to practical business—still he pursues it with an impetuosity and an impulsiveness which would render any appeal to him a mere waste of time. But I do appeal to those Members who last year so boldly and manfully asserted the rights of private judgment, and who by their independence saved their party from disgrace. To them we owe it to a large extent that we have a Reform Bill—to them we owe it that that Bill was carried through this House—to them, who represent, like myself, large constituencies and important commercial interests—to them I make my appeal to stop these party contests that are going on night after night. They are the men who have great weight and importance in this House; and I ask them to assist in bringing the House back to that state in which it will be possible to transact the ordinary and necessary business of the country.

MR. OSBORNE: I freely grant that the hon. Member for Liverpool, who has just resumed his seat, is an apt type of the purity and placidity of this House. But when he says that he is about to pour oil upon this debate, I must say—and with his commercial knowledge he will recognize the article—that there is an oil called petroleum, which has anything but calming effects upon the surface on which it is poured. When the hon. Gentleman undertakes to lecture Members on this (the Opposition) side in good round words upon the position of affairs, and talks of the stop which has been put to private business, I think he might have taken larger views, and recollected that there are questions of such great public import that a Member, whether private or having held an official capacity, is quite warranted in coming forward and expressing his opinion upon them. I do not wish to lay any stress upon ducal declarations in "another place." They are generally confused, and frequently ungrammatical. If I want an explanation of Ministerial policy I do not go to the subordinates of the Government, however distinguished by title; I come to the great man himself—to the Minister who sits in this House. Well, the right hon. Gentleman last night explained the course he pursued, and I am free to say that I am not disposed to quarrel with the decision to which Her Majesty's Ministers have come. And why? Because I think that a question so large in its import, so vast in its ultimate effects upon Imperial policy—I mean the question of the disestablishment of the Irish Church—is a question which may be well referred to the enlarged public opinion of the new constituencies. I think so for another reason, which is that the present constitution of this House is so miserable, and many of its Members so weak and so vacillating, that the sooner they are got rid of and sent about their business the better for the country. But, Sir, while I agree with the decision to which Her Majesty's Government have come, I must say I condemn the means by which that decision has been arrived at. Why, Sir, what have we heard to-night? We have heard the personal claims of Ministers urged as a reason for the forbearance of the House; and, curiously enough, those personal claims have been put before the peace of this country. What else have we heard? For the first time at least in this century the authority of the Crown has been made use of almost as sympathizing with the difficulties of the Administration. Nay, more, the name of the Sovereign has been for the first time, I would almost say, besmirched in the arena of political conflict. Now I say that this is a most unhappy state of things, not only for the Crown itself, but for the House of Commons and the other House of Parliament. It would almost seem to me—listening to the enunciations made in "another place"—not by a noble Duke, but a man who uses the purest English and never is mistaken in his meaning—that there is a mysterious power behind the Throne who tenders most unconstitutional and obnoxious advice, and who, not content with being the presiding genius of the Government, strives to control the rights and privileges of this House. I hope—without adding my petroleum to that of the hon. Member for Liverpool (Mr. Graves)—the House will resist anything of that kind; and if this House is to be dissolved, I, for one, think the sooner the better, for, however inconvenient it may be to us, it is better that great public questions should be set at rest, once and for ever, and I hope, too, that the appeal will not be made, as I see signs of doing, on the old historic cry of "Our Protestant Queen and No Popery!" ["Oh, oh!"] Yes, I have seen signs of that in speeches that have been made on the other side, and I think I see an hon. Gentleman opposite, who is probably preparing to follow me, who will raise that ill-omened cry through the country. Let us get through the necessary business as soon as we may; and I, for one, much as I should dislike a visit to my constituents, and not looking for place in another Government, but looking to the vast interests of this country, and putting my "personal claims" entirely on one side—which, mark you, is not always done by other people—I for one say, the sooner this House is dissolved, and the great issue put before the country, the better will it be for the Sovereign of these realms and the Constitution of the country.

Colonel STUART KNOX said, he did not know whether he was the person alluded to by the hon. Gentleman. [Mr. Osborne: No; I never thought of you.] At all events, what he would say was, "Justice to all, and no surrender of the rights which belong to us." His object, however, in rising, was to remind the right hon. Member for South Lancashire that it was only on Thursday last he accused an hon. and gallant Friend of his of want of courtesy in asking questions without notice. Now, he wished to ask the right hon. Gentleman, whether it was only the Leader of a factious Opposition, after a meeting of the party at his house, one of the would-be leaders of whom—the Member for Kilmarnock (Mr. Bouverie)—had lately called them "a rabble," who thought himself entitled to ask questions without notice; for it was evident from what had occurred that the right hon. Gentleman below him (Mr. Disraeli) had received no notice of the Question that had been asked.

Mr. HORSMAN: I hope, Sir, the House will not allow itself to be led away from the important Question before it by matter unconnected with that question, but that we shall receive from the right hon. Gentleman at the head of the Government some further information with respect to the audience with which he was honoured by Her Majesty last week, and as to the relations of the House to the Ministers of the Crown in consequence of the advice he gave, and the manner in which it was received. I confess I am one of those who, like my hon. and learned Friend behind me (Mr. Ayrton), find themselves more perplexed than enlightened by the speeches made by the right hon. Gentleman. I thought I did understand his first speech; I felt myself rather embarrassed on hearing his second; and I am entirely confused on hearing his third. The first thing I do not understand, and it is one upon which my right hon. Friend endeavoured to extract an explanation, and upon which I hope we shall have a clear answer, is this—Did the right hon. Gentleman advise Her Majesty to appeal to the present constituencies or not? I cannot understand from the speeches of the right hon. Gentleman whether he advised Her Majesty to allow an appeal to be made to the present constituencies, or to the new constituencies as soon as the state of public business would allow. That is an important point upon which we have a right to be informed. The statement I understood the right hon. Gentleman to have made yesterday was this—that he had advised Her Majesty to dissolve Parliament immediately, or, as I understood, as an alternative, to accept the resignation of Her Majesty's Ministers; that Her Majesty declined to accept the resignation of her Ministers, but gave an unqualified assent to the dissolution of Parliament. Well, when the right hon. Gentleman advised a dissolution of Parliament and Her Majesty gave an unqualified assent, it appears that the Government never intended to do what they advised; but at the second audience on Saturday morning the right hon. Gentleman recommended something different—namely, that Her Majesty should not for certain reasons at once dissolve the present Parliament, but that she should, with a view to circumstances unforeseen, intrust him with a general power of dissolution under the knowledge and threat of which the deliberations of Parliament would be carried on. Now that was what I understood to be conveyed by the speech of the right hon. Gentleman yesterday, and to be expressed more fully in the statement made by the Duke of Richmond. That noble Duke stated that Her Majesty, under the advice of her Ministers, had given powers so unconstitutional and placed this House in a position so novel that if we were to carry on our deliberations under such circumstances many of us would feel that we had scarcely a choice as to relieving ourselves from the task of coming to the further Sittings, I will not call them the deliberations, of the House. Then the Duke of Richmond, having more fully explained what was conveyed by the right hon. Gentleman, made very frequent, unusually frequent, use of Her Majesty's name, to show that Her Majesty had given her Ministers power to resort to dissolution at any moment or for any purpose whenever they might say they had a difficulty with the House of Commons. Now the points on which I wish on the part of the House to have an answer from the right hon. Gentleman are these:—First, did he advise Her Majesty to dissolve or appeal to the present constituencies? The second question is, did he advise Her Majesty to intrust him with a general power of dissolution to be used whenever he thought fit to advise it; and the third is, did Her Majesty authorize her Ministers to communicate to Parliament that we were to deliberate subject to the summary exercise of that power? These are all points of importance, more especially as I gather from the speech of the right hon. Gentleman, confirmed and strengthened by that of the Duke of Richmond, that powers have been granted as stated, although I do not believe that such powers were for one moment thought of by Her Majesty. It is conveyed to us, however, that the right hon. Gentleman possesses those powers, and that we are deliberating under a threat of their summary exercise at any moment that we happen to place the Government in difficulties. I say we have a right to know, and must know, whether those are the powers which the Government profess to have; and we must enforce the knowledge, because the character of this House and its independence and dignity are involved in the answer.

MR. GOLDSMID said, he had another question to ask, which he thought the Government should answer—namely, Whether, if the Scotch and Irish Reform Bills were passed, a measure would be introduced whereby the registration under those Bills should be made in the autumn? The right hon. Gentleman proposed to go on with the Scotch and Irish Reform Bills, and immediately after to proceed to appeal to the new constituencies. He would ask, What, then, was the result of the vote of last Thursday, which was a Vote of Want of Confidence? It appeared to him that Her Majesty's Government had entirely disregarded the vote of Thursday last; and if the business of the House was brought to a deadlock, as the hon. Member for Liverpool (Mr. Graves) had said, it was brought to a deadlock by Her Majesty's Ministers who clung to Office. It was a matter of complete indifference to him who occupied the position of Prime Minister, but it seemed to him entirely unconstitutional to hold over that House a threat of dissolution, which was to occur at an indefinite time.

SIR HENRY EDWARDS said, he agreed with the hon. Member for Liverpool (Mr. Graves), that it was high time that the private Members of the House, whether representing large or small constituencies, should speak out. When the present House of Commons was elected, nothing had been heard of the disestablishment or disendowment of the Irish Church. Reform was the great question of the hour, and it had remained so up to the present time. The English Bill had been passed, and the Government now asked the House to complete the Scotch and Irish measures and the Boundary Bills before venturing upon a dissolution, which might jeopardize its completion. On the new question of the Irish Church, the country had as yet had no opportunity of forming an opinion. On what grounds, and for what objects were these discussions continued then? During the past two or three days they had been maintained by some half-dozen hungry expectants of Office, and, if such a course were allowed to continue, the electors would justly complain that the whole of the most important business of the country was stopped, merely for the purpose of gratifying the ambition of certain right hon. Gentlemen. By such a course, however, they could probably remind their representatives that they were returned to legislate for the good of the country, and not until the right hon. Member for South Lancashire thought it necessary as a means to dislodge his great adversary from Office, for the personal interest of those who sought to obtain seats in a new Cabinet. It appeared to him that such an exhibition of faction was never before made by an Opposition, manifestly for the object of displacing one Government, and re-instating another.

MR. WHITBREAD said he wished, as a humble Member of the House, to add his protest to that of his right hon. Friend behind him (Mr. Bouverie), when he denounced the impropriety of introducing the name of the Sovereign in the way in which it had been done by the Prime Minister.

He had never expected to hear a Minister come down to the House, as the right hon. Gentleman had last evening, and shelter himself behind the Throne. He also wished to join with the right hon. Member for Stroud (Mr. Horsman), and insist on direct answers to the questions he had put. The House wished to know, whether the Prime Minister had it in his power to dissolve the House at any moment? He could not understand, nor could he believe that the Sovereign had given such power to the right hon Gentleman. He therefore wished to hear from the Prime Minister, whether the prevailing impression was founded on the truth; and, if not, to hear him distinctly deny that the Sovereign had given him the power his words had led the House to believe he possessed? On the other hand, presuming the right hon. Gentleman to have the power of dissolution in his pocket, he wished to know for what purpose and on what account it was to be used? Was it to be used because of the result of the first division on the Irish Church—the majority of 60? No; the right hon. Gentleman was prepared to let that vote pass if the House would permit him to continue sitting on the Treasury Bench. Was the House to be dissolved because of the second vote, when the majority against the Government was swelled to 65? No; the right hon. Gentleman was content to allow these votes to pass if the House would allow him to remain on the Treasury Bench. Was the power to be used if the House declared for the second and third Resolutions by a still greater majority? No; the right hon. Gentleman had told them that if he were still permitted to sit on the Treasury Bench he would regard those Resolutions as the natural corollaries of the first. Was it to be used if the House, on considering the Scotch Reform Bill, decided that the number of Scotch Members should be increased by some other means than by adding to the number of the House? Upon this point the right hon. Gentleman had not enlightened the House; but information on the subject was necessary; because he, in common with others, wished to amend the Scotch and Irish Bills, and he wished to know whether, they could do that freely and independently, or whether they would deliberate in the constant fear of dissolution? Was the power to be used after the Irish Reform Bill had been taken out of the hands of the Government and moulded by the House? Was it to be used if the Estimates were cut down? Or for what was it to be used? The right hon. Gentleman knew as well as possible that the question of the Irish Church would be advanced just as much this year with him in Office as it would be if he were in Opposition. The right hon. Gentleman had stated he was prepared to accept the second and third Resolutions, but was silent on the declaration of the right hon. Member for South Lancashire that it would be necessary to proceed with a Bill to suspend the action of the Crown regarding the patronage of the Irish Church. Would the power be used when that Bill was passed by the House? The right hon. Gentleman knew quite well that the Irish Church question would be referred to the country, whatever Government was in Office, as soon as it was possible to appeal to the new constituencies. He knew it was in the power of no Government unduly to delay appealing to those constituencies. Then for what did he sit on the Treasury Bench? What principle did he maintain by persisting in retaining Office? The right hon. Gentleman was not there to oppose the action of the Opposition on the question of the Irish Church; he was not there to defend his own view of the Scotch or Irish Reform Bills: respecting all these matters he was "in the hands of the House." If the right hon. Gentleman went to the country he had evidently only one available cry, and that was the old one of "No Surrender," with the clear understanding that it was limited strictly, at all times and under all circumstances, to the tenure of his own place.

Mr. LOWE: I cannot persuade myself that it is the wish of hon. Gentlemen in this House, not even of the hon. Members for Liverpool and Beverley (Mr. Graves and Sir Henry Edwards), that this discussion should come to an end without some answer having been given to the Questions put by my right hon. Friend at the beginning of the evening; and it is only as a forlorn hope, and on the adventuresome expedition of trying once more to get an answer to that Question, that I trouble the House for one moment. I do not offer any comment on the subject now; but I entreat hon. Gentleman opposite, out of regard for their own character, out of regard for the august name which has been dragged into this debate, out of regard for the character of this House and what will be thought of us in the country, not to have it said that a simple, straightforward Question has been put to the Government and that the Government has avoided answering it. ["No, no!"] Is it not so? My right hon. Friend, quoting the speech of the Duke of Richmond, asked the First Minister of the Crown whether he disavowed or adopted that speech. That was a very simple question; but how was it answered? The right hon. Gentleman re-stated what he said last night as to his own communication with the Crown; but my right hon. Friend knew his duty far too well to ask the right hon. Gentleman to describe to the House what took place between him and the Sovereign. It is in the discretion of the right hon. Gentleman, as First Minister of the Crown, to decide what portion of his communication with Her Majesty it is consistent with his duty, subject to Her Majesty's Royal permission, to lay before this House. He was not asked to enlarge upon his own statement; he was asked whether he avowed or disavowed the statement of the Duke of Richmond; not what took place between him and Her Majesty, but as to the accuracy or inaccuracy of the statement made by a Member of his own Cabinet in "another place." He was asked simply to say, "Do you endorse that statement—aye or no?" That question was in the first place evaded, and then followed up by the rejoinder, "You had better ask the Duke of Richmond himself." That is the whole answer given by the first Minister of the Crown, and it is one on which I think I need not dilate. But not only has the question been evaded; another has been substituted for it, because the right hon. Gentleman was followed by his Secretary of State for India. The right hon. Member for the city of Oxford (Mr. Cardwell) read the speech of the Duke of Richmond a second time, and added some words by way of a commentary, in which he characterized the speech as a menace. The right hon. Gentleman the Secretary for India jumps up and says, "The question of menace is easily answered." But that was not the question put by my right hon. Friend; he wanted to know whether the construction put on the speech of the Duke of Richmond was a right construction or not; whether, in fact, that speech was the speech of the Government; whether the Government stood by it or not. Now, Sir, I hope the right hon. Gentleman will allow that in stating the case I have done it with all due regard for the amenities of debate; and therefore, if I enjoy his good opinion, which I am sure I must have earned by the manner in which I have introduced the subject, I will take the liberty of doing what I presume will be not disagreeable to the right hon. Gentleman; I will read over the words of the Duke of Richmond, and again ask the Government whether the Government avows them or not. Well, Sir, for the third and last time of asking, the Duke of Richmond said—

> "The result is that we still occupy the same position we did before, and intend to conduct the affairs of the country so long as we are able to do so; and in the event of any difficulties arising Her Majesty was graciously pleased to state that she would make no objection to a dissolution of Parliament. It, of course, will depend upon the state of affairs whether that dissolution shall be a dissolution under the existing constituency, or whether it shall be a dissolution under the new constituency to be formed under the Reform Act; but Her Majesty was graciously pleased to state that she would make no objection to either course being adopted by her Advisers whenever they should see fit to tender to Her Majesty a recommendation on that subject."—[3 *Hansard*, cxci. 1690.]

I ask the right hon. Gentleman, are these words the words of the Government—Aye or No?

MR. DISRAELI: I address the House for the second time; but under the circumstances perhaps they will allow me to do so. It has been stated that the name of the Sovereign has been improperly introduced into these debates—not so by me. I have introduced that august name in the spirit of our Constitution, with the permission of Her Majesty, and I know well, in a manner which cannot be impugned. A great many questions have been addressed to me, varying in terms, but probably having the same end, and when they have been answered, a new one has been proposed, a new form of inquiry has been made, and then we have been charged with not replying. Now, I do not approve myself the mode by which the inquiry as to the conduct of the Government is made. It consists of bringing before the House—without any notice whatever—an extract from a newspaper report of observations alleged to have been made by one of my Colleagues in "another place," with whom by no possibility can I have had any communication on the subject, and then founding upon that extract a variety of inferences which have immediately been fixed upon me, as if I had committed myself to every conclusion which every speaker has thought it right to make. I shall not address myself to points like that, but to the great points of interest to the House. The advice that I gave to Her Majesty to dissolve the Parliament was confined solely to the question of the Irish Church. And if any other difficulty arises in the conduct of affairs, upon which it occurred to me and my Colleagues that such advice should be given with reference to any other subject, it would be our duty then again to repair to Her Majesty and give that advice. The consent of Her Majesty is solely to the issue upon which Her Majesty's consent was required—namely, the question of the disestablishment of the Church in Ireland. That is my answer, and I hope a complete answer to those various forms of questions which have been urged in this House. Then the hon. Gentleman the Member for Bedford (Mr. Whitbread) says—"You accepted the first and second divisions upon the question of the Irish Church, and you are no longer resisting our policy upon that question." I beg the hon. Gentleman's pardon. I am not going to assent at all, either to the second or the third Resolution. I said that for the sake of expediting Public Business, looking on these Resolutions as corollaries of the first, I should not sanction any lengthened debates or organized divisions, at the same time that I should urge against them my most decided negative. In making that admission, for the sake of the convenience of the House and with a view of expediting public business, I did not for one moment mean to say—and I am sure the right hon. Gentleman the Member for South Lancashire never for a moment supposed that I admitted—because I undertook in the spirit which I have already described not to oppose the second or third Resolutions in as peremptory a manner as I should otherwise have done—that I was in consequence pledged in any way not to oppose the Bill that he is about to bring forward. I am sure the right hon. Gentleman will not for a moment pretend that he concluded I was not going to oppose his Bill. And therefore the argument of the hon. Member for Bedford is totally illusory, and founded upon an assumption for which there is no warrant whatever. I repeat, then, to the House that the advice which I tendered to Her Majesty respecting the dissolution, and the consent of Her Majesty to dissolve Parliament, referred solely to the subject of the disestablishment of the Church, and was confined solely to that subject. Then I am taunted with this inquiry—"Why did you not immediately dissolve Parliament?" Well, Sir, everyone must know that we are placed with reference to that point in circumstances of a peculiar and unprecedented character. In that situation it is for the public interest that we should endeavour to arrive at some understanding with the House, which, while it will facilitate the progress of Public Business, will be of the greatest advantage to the country. It is from no unworthy motive, from no desire to shrink from the consequences of our own advice, that we necessarily pause for a moment. Hon. Gentlemen know perfectly well the cause. But do not let the assumption remain for one moment longer—an assumption wholly unauthorized by anything I have said—that the permission which Her Majesty gave to dissolve the Parliament had reference to any other subject than the disestablishment of the Church.

Mr. LIDDELL, speaking as an Independent Member, said, it was always a dangerous and hopeless task to attempt to carry on the Government in a minority of the House of Commons. The present occasion was one of extreme gravity, if not of danger—great and deplorable events had before now resulted from smaller beginnings; and, not being himself a strong partizan, he wished to make an appeal to both sides of the House. He regretted extremely that the resignation of Her Majesty's Ministers had not been accepted, because he could not see how they could continue to occupy their present position with either honour to themselves or advantage to the country. They all knew the acceptance or rejection of a proposal depended materially upon the shape in which the suggestion was preferred; and he thought that the name of the Sovereign had been brought forward on recent occasions too prominently, and that the First Minister had sheltered himself under that august name more than he was justified in doing. He wished to point out the danger of the present position of affairs. The name of the Sovereign had been used to retain in Office a Government pledged to a particular line of policy, which appeared to have been condemned by the House of Commons. It might be doubted — and possibly the result would prove that the doubt was well-founded—whether the opinion of the country was really in accordance with the expressed opinion of the House of Commons. Consequently, he rejoiced that the advice was proffered by the First Minister to Her Majesty of a dissolution; and he apprehended now that it might be an immediate dissolution. That being so, he wanted some further explanation from the First Minister. He believed, in common with many other Members of the House, that something in the nature of an *in terrorem* influence was being exercised by the Government over the House of Commons. What was the meaning to be attached to the words which had been used by the First Minister—"If, in the transaction of the necessary business, any difficulties should arise, &c.?" Did the right hon. Gentleman mean that, in the event of a collision, or opposition to any measure necessary to complete the business of the Session, the Government would use the power—which they undoubtedly possessed—of dissolving Parliament? A doubt existed in his mind whether those words were not intended to control the free action of that House, and he for one deprecated any such attempt. Having appealed to the Government for an explanation on that point, he would now appeal to hon. Gentlemen opposite. The House had unmistakably evinced its feeling on the question of the disestablishment of the Irish Church, and they knew that the Government had obtained permission from Her Majesty to dissolve Parliament upon that question. Was it any use, then, to continue to battle upon this ground to the obstruction of all other business? Even if the Resolutions were all agreed to, no man in his senses believed that it would be practicable to pass a Bill founded upon them this Session. The right hon. Gentleman the Member for South Lancashire said he intended to bring in a Suspensory Bill. But, even if he succeeded in passing it through the House of Commons, he was hardly credulous enough to believe that it would succeed in the House of Lords. He therefore asked the House to set its face against any further waste of time. He had sat in that House for seventeen years, and he never remembered, and he did not suppose the oldest Member could recollect Public Business in such a state of arrear as at present. After the declaration of the Government, and knowing that a dissolution was to take place on the specific question of the disestablishment of the Irish Church, he would ask the House to let them proceed to carry through the absolutely necessary business uncontrolled by any idea of menace or penalties. Let them proceed as quickly as possible to pass the measures necessary to complete the "Reform Programme," and then the country would respond to the appeal made to it.

Mr. CRAWFORD said, he wished to remind the right hon. Gentleman at the head of the Government that last year he said, in reference to the Reform Bill, "Pass the Bill, and then, if you please, turn out the Ministry;" and he now asked the right hon. Gentleman to keep his word.

Mr. WHALLEY expressed his feeling that the circumstances before them, which were alleged as a difficulty, were in reality the reason why there should be an immediate dissolution of Parliament. The question of the disestablishment of the Irish Church involved the English Church as well, and the right hon. Gentleman had now an opportunity of obtaining an expression of the opinion of the country under the present constituencies on a larger scale than any Minister had enjoyed on any question upon record. He called upon the right hon. Gentleman to act upon the authority he had received from Her Majesty, by dissolving Parliament in spite of all consequences as soon as the immediate exigencies of Public Business could be provided for, and if the right hon. Gentleman did not adopt that course he (Mr. Whalley) should be prepared to support the right hon. Member for South Lancashire in a Vote of Want of Confidence, or in any other course he might pursue.

Mr. GLADSTONE: I wish to make an explanation with regard to an observation of the right hon. Gentleman at the head of the Government, who found fault with me, not without some justice as far as the letter of the matter was concerned, for some words used by me this evening. I stated that it was not competent for me to speak last night after I had addressed the House once. That was not true in the letter, but it was true in the spirit. I followed the right hon. Gentleman last evening, and the Motion for the adjournment was not made till after I had spoken. I therefore thought I had lost my opportunity of speaking again, though, of course, I might have spoken again on the question of adjournment, as the right hon. Gentleman himself did.

Mr. DARBY GRIFFITH said, references had been made in the course of the discussion to noble Lords speaking in "another place" by name, and there had been quotations from the *ipsissima verba* of the Earl of Malmesbury and the Duke of Richmond. He wished to know whether that was justified by the rules of the House. He did not desire to narrow the rules of the House in this particular; but he should be glad of the opinion of the Speaker upon the point, in order that they might arrive at uniformity of conduct. It would be a great satisfaction to him personally if the Speaker declared that all Members of the House might make use of similar references whenever the occasion justified it, and that such privilege should not be confined to those who were more distinguished only.

MR. SPEAKER said, the rule of the House was that allusion to debates in the other House was not in order; but it was hardly possible that under all circumstances that rule could be absolutely and literally complied with, especially when declarations had been made by Ministers of the Crown on points affecting the position of the House of Commons.

MR. GLADSTONE: I am anxious to state, for the information and convenience of the House, a point in connection with my third Resolution. The third Resolution, in point of form, hangs upon the second Resolution, because it refers to "the purpose aforesaid"—namely, the purpose of preventing the growth of new vested interests and restraining the operation of Commissioners. I propose, for the convenience of the House, in order that the Address upon the third Resolution may contain the whole substance of the Resolutions, to insert words in the third Resolution which will bring in that part of the substance of the second Resolution which is necessary fully to express its sense.

MR. DISRAELI: I should like to see those words in print.

MR. GLADSTONE: Oh, certainly; most unquestionably. Besides putting them in print I wish to take this public opportunity of drawing attention to them. They will be in print to-morrow morning.

Motion, by leave, *withdrawn.*

## ARMY—MILITARY EDUCATION.

### RESOLUTION.

LORD EUSTACE CECIL, in rising to move an Address to the Crown, on the subject of Military Education, said, he brought forward a similar Motion two years ago, when, in a House of 284 Members, it was lost by 20. On that occasion he was supported by the right hon. Gentleman the First Lord of the Treasury, by the Secretaries of State for the Home Department and for India, by the Chancellor of the Exchequer, besides other Members of Her Majesty's Government. On the other hand, he had to deplore the opposition of the noble Lord the late Secretary of State for War (the Marquess of Hartington), more, he hoped and believed, from a natural disinclination to upset the determination of his predecessors than from any abstract love for the present system of education at the Military Colleges. He felt sanguine, however, that on a full consideration of the whole question, and of the events that had recently occurred at Sandhurst, his Motion would receive the support of many of those who had previously voted against it. Very few changes of importance had been made at Sandhurst College since he last brought the question before the House, and matters had gone on from bad to worse there. If half of what was stated to have occurred at Sandurst last autumn was true, not only was there a great want of respect for all discipline there, but also a want of respect for the property and even for the lives of Her Majesty's subjects. On the 28th October, 1867, a number of the cadets of Sandhurst College entered the shop of a jeweller of the Jewish persuasion, smashed everything in their way, and attacked and maltreated the jeweller himself. For several succeeding nights the cadets marched about in compact bodies, letting off fireworks and creating great disturbances and universal alarm. On the 1st November they went again to the jeweller's shop, smashed the fanlight over his door, and discharged fireworks. Next day they endeavoured unsuccessfully to batter in his shop front, and did considerable damage; and on other occasions they seriously injured a woman, set fire to a skittle alley, and were guilty of exceedingly riotous conduct. On one of the days in question, which fell on a Sunday, strong measures were taken for the preservation of discipline; but the cadets in the evening assembled near St. Michael's church during the performance of Divine service, and kept up a hideous noise, consisting of catcalls, yells, shouting, &c. He would not pass any comment upon this picture of insubordination, riot, and irreverence, for it spoke for itself; but he wished to impress upon the House that these things must have had a cause, and that that cause was to be found in the present system of training and education at the Military Colleges. When he brought the question before the House before, he dwelt minutely upon the rigorous treatment of the cadets, who were not boys, but young men of eighteen or nineteen—but the fact was he had under-stated the case. The want of discipline was as much due to injudicious indulgence as to injudicious rigour. The cadets had uncomfortable dormitories and want of privacy; they were subjected to an irritating schoolboy treatment, and beyond all that they were exposed, by the very action of the authorities themselves, to every species of temptation. Until lately not only had the publichouses at Sandhurst been thrown open to them, but a canteen had been established within the College itself, where smoking, drinking, and billiard playing went on; and the attractions of these places, as compared with the bare walls and sanded floors of their dormitories, led to a spirit of lawlessness which vented itself sometimes in petty acts of wanton mischief, such as smashing lamps and windows; and at other times into acts of more serious insubordination. The large and increasing class of cadets who came from "cramming" establishments, and who, possessing more money than brains, found it easier to spend a year at College and purchase a commission than to compete for one at Chelsea, exercised a prejudicial influence; and something was also due to the pernicious distinction between the executive officers and the professors of the College—and that applied to both Colleges—by which the power of punishment was maintained in one set of hands while that of imparting instruction was placed in another. And that brought him to what was, after all, the object for which these Colleges were founded—namely, the nature of the education given them. He admitted that the education given in the Military Colleges was good in some points; but the question was, whether it might not be better. The right hon. Member for Calne (Mr. Lowe), than whom there was no better judge of education, objected during the Recess, in one of those speeches which all must admire, even though they did not concur in them, to the unpractical character of our University and public school training. Now, the same remark would apply to the Military Colleges; yet the military profession was one which urgently required a practical education. Too many subjects had to be got up in too short a time, thus leading to cramming combined with the most absolute ignorance even of the elements of professional education. At Woolwich a cadet had to perfect himself in two years and a-half in at least a dozen subjects, including the higher mathematics and natural science, but he was not taught riding until the last year of his academical course, and he was so badly instructed in drill, especially sword drill, that it had to be learnt over again on his joining the regiment. At Sandhurst, almost as many subjects had to be mastered in eighteen or —deducting vacations—in thirteen months; and it used to be, and probably was still, proverbial that young officers coming thence had to unlearn all their drill. Considering our East and West India experiences, it was strange that young officers were not instructed in military law, in the practice of Courts-martial, and regimental economy, which included a knowledge of the weight, price, and quality of the soldier's arms, necessaries, and accoutrements — subjects of the utmost value to the officer. A colloquial knowledge of a foreign language was also exceedingly useful; but examinations being no longer *vivâ voce*, he believed it was not to be acquired at Woolwich or Sandhurst; and if a cadet were able to string two sentences together in a foreign tongue, it was to be attributed more to his previous training than to collegiate instruction. The students were assembled thirty or forty together in a hall and were expected, while other teaching was going on around them, to solve the most difficult problems in mathematics and natural science—private study being so much discouraged that it was difficult to get permission to read for examinations after the lights were put out. The consequence of this Procrustean system, if he might so call it, was that no cadet really had his talents turned to advantage. Nobody took care to ascertain what speciality he was fitted for, and it followed that many young officers of great parts and attainments were completely lost to the State so far as their particular talents were concerned. He would next refer to the cost of maintaining the Military Colleges — a matter which the educational defects of those institutions brought out only the more prominently. Without troubling the House with an array of figures, he might mention the fact that, exclusive of all the expenses paid for education and maintenance by the parents and guardians of the cadets, the two Colleges at Woolwich and Sandhurst cost over £35,000 a year to the State. The cost of the maintenance of an individual cadet at Woolwich was £200 a year, or 30 or 40 per cent higher than the cost of the education imparted at the most expensive of our public schools, such as Eton and Harrow; 60 or 80 per cent higher than what was paid at less costly establishments, and, as he was informed, 100 per cent higher than the expenses of education at the French College at St. Cyr. If these figures were analyzed, it would be found that the education of the cadet, unlike that of the public school-boy, cost two-thirds of the whole sum, and the maintenance one-third; and the cause of this astounding result would appear to be in the fact that there was one professor, or executive officer to every six cadets, a number that could not reasonably be increased, if the professors were all dry nurses and the cadets all children in leading strings. There was a time when things were very different, for about twenty-five or thirty years ago, in the days of Sir George Scovell, not only did Sandhurst pay its own expenses, but it contributed £1,000 a year besides to the Treasury. He might possibly be told that all these things were thoroughly inquired into in 1857 in the days of Lord Panmure. That was perfectly true; but he would ask, what attention had been paid to the Report of the Commissioners of that time, confirmed as it was by the Minister of the day, and sanctioned by Her Majesty? In their Report the Commissioners recommended among other things the amalgamation of the two Colleges. Then followed naturally the question, why was that Report not attended to? The answer was to be found in the debate which took place on the Motion of the hon. Member for Limerick (Mr. Monsell), on the 28th of April, 1858. It had, he believed, been erroneously supposed that the House of Commons on that occasion rejected the proposal for the amalgamation of the two Colleges. Had they done so, his Motion would still not have been affected; but an examination into that debate would, he thought, show that the House was not averse to the amalgamation of the two Colleges, but to the amalgamation of the two Colleges into the College of Sandhurst as it was then constituted, the objection arising from the fact that the House disapproved the system of selection which prevailed at Sandhurst, while it approved the system of competition which prevailed at Woolwich. In any case, the lapse of time, the outbreaks which had since occurred, and the reluctance on the part of every War Minister to deal with the question, on account of the adverse vote supposed to have been arrived at by the House of Commons, were in themselves reasons sufficient why a fresh inquiry should be instituted. In his Motion he had included the subject of military education, because he thought that the inquiry into the military organization and education at Sandhurst ought to be accompanied by an inquiry into the great question of the previous training and examination of all candidates for the army. He hoped, too, that the public schools might be induced to co-operate in this matter, and that by the establishment of classes for practical military education they might be able to strike a blow at what might be termed—whether viewed in a physical, educational, or in a moral point of view—a a most factitious system of education—he meant the "cramming" system. He thought, too, that it would be a very proper subject for consideration to inquire whether it would be possible to improve in any way the practical education of our Volunteer and Militia officers. It would also be in his opinion advisable that the reason for the falling off of the candidates for schoolmasterships at the Normal Schools at Chelsea should be inquired into, as well as the effect which the recent introduction of recreations and amusements for the benefit of soldiers had exercised upon drunkenness in the army. He had now completed the charges which he had thought it necessary to bring forward against the Military Colleges; he had endeavoured to prove that their discipline was bad, their education defective, and their cost extravagant. To his own mind the remedy was clear. What was required was, in the first place, a searching inquiry, to be followed by the amalgamation of the two Colleges, as recommended by the Council of Military Education, on an entirely different basis. If he was right in anticipating what would be the probable effect of a Commission of Inquiry, he might hope to see the day when a military University would be founded somewhat upon the basis of that admirable College of West Point which existed in the United States, and which had been the mother of so much military talent during the late American war, where candidates would receive a really practical education in military matters, and where those who passed would receive their commissions quite as much for their good conduct as for their proficiency in study. There was another reason why it was especially important that an inquiry should take place at the present time. The system of purchase might at no distant date be either abolished or considerably modified, and in that event it would be of the greatest importance that there should be a military University, through which officers should be compelled to pass; due provision, of course, being made for a certain number of promotions from the ranks. The noble Lord apologized to the House for having brought on a very dry subject after a very exciting one; but he felt assured that, although he might have detained hon. Members a long time, he should not have detained them too long if he succeeded in inducing them to accept his Motion, which he thoroughly believed would promote the interests of the army and of the country. He would conclude by moving—

> "That an humble Address be presented to Her Majesty, praying that a Royal Commission composed of Military and Civilian Members be appointed to inquire into the present state of Military Education in this Country, and more especially into the training of Candidates for Commissions in the Army, and into the Constitution, system of Education, and discipline of the Royal Military Academy at Woolwich, and of the Royal Military College at Sandhurst, as well as into the rules and regulations under which Candidates are admitted into those Colleges."

SIR JOHN PAKINGTON: I am afraid my experience in connection with the army and military matters is not sufficient to justify me in pronouncing opinions to which any value can be attached on the various questions raised by the speech and Motion of my noble Friend; but when my noble Friend gave notice of this Motion I felt it my duty to give my most careful attention to the consideration of the subject; and I accordingly consulted a considerable number of those military men of long experience and high authority in whose judgment I felt I could confide. The result of my reflection and inquiry has been that I consider it my duty to accede to my noble Friend's Motion. I am quite sure that every Gentleman now present will feel that no apology was necessary on the part of my noble Friend for bringing forward a subject to which he has given great attention, and which he has now introduced to the House in a speech of great clearness; and, although he terms the subject a very dry one, I must differ more from him on that point than on the merits of the Motion, for, whatever our individual opinions on it may be, everyone must acknowledge that it relates to a subject bearing in the most direct and important manner on the interests of the army. Such inquiries as I have been able to make convince me that among military men generally there is a very strong feeling that the state of military education in this country is not altogether satisfactory. I cannot myself presume to give any opinion which would be worth considering as to whether it be desirable that our army should be made more a professional army than it is at present. It seems to me, however, that there are very strong grounds for believing that our army would be improved and our officers rendered more efficient and more competent to discharge their duties if the army were made a more professional army than it now is, and this is also the opinion of many officers who have given the most careful consideration to the matter. It is essential, in order to attain that object, that the early training of our officers should be more systematic and complete than at present; and here let me remind the House that this is by no means a new question. On the contrary, it was dealt with, and nearly completed, by the late Lord Herbert in 1860 and 1861, when he was Secretary of State for War. Lord Herbert was desirous that, as regards the Line, the Cavalry, and the Guards, all candidates for commissions should pass through Sandhurst, and that from 500 to 600 cadets should be taught there. This proposal of Lord Herbert was carried out so far that it obtained the approval of the Treasury; and, in the Estimates for 1861-2, a sum of £15,000 was actually introduced, and voted, I believe, by the House, for erecting suitable buildings for the accommodation of 500 cadets; and in the following financial year, 1862-3, though the number of cadets was then estimated at 400 only, a Vote of £12,700 was placed in the Estimates for carrying out the arrangements for extending the establishment at Sandhurst. But this intention to create a great military College was abandoned in consequence of an objection which was raised on the part of our great English Universities. At least, I have been told that that was the reason why the idea dropped after having been so far carried into execution; but I am not disposed to think that such objection on the part of the Universities ought to be entertained or persevered in. If my noble Friend's Motion should result in the recommendations which are likely to be made by the Commission, I should regret that the objections raised by the Universities should be allowed to interfere with the plan proposed. I can only consider the interference of the

Universities as practically mischievous, for the result of it has been to bring to Sandhurst—the privilege, I may remark, does not apply to Woolwich—young men of an age which makes them utterly unfit for anything like education in a seminary of that kind; while, at the same time, the maintenance of discipline has been rendered extremely difficult. And here let me call the attention of the House for a moment to one very serious defect in our present system, in consequence of the ages at which young men enter the institutions at Woolwich and Sandhurst, and in consequence also of the reservation to which I have referred in favour of the Universities. The subject was under serious consideration by myself, in conjunction with the Commander in Chief, in January last, when —at the request of his Royal Highness— I attended a meeting at the Horse Guards. The Commander in Chief was himself present at that meeting, which was also attended by the Council of Military Education. The age of the students in the Colleges was taken into our serious consideration, and we came to a determination to make an important alteration in this respect. At present young men cannot enter Sandhurst or Woolwich before they are sixteen years old, nor remain there after they are nineteen. We agreed that it was desirable to reduce the period of instruction to two years, and to admit students from the fifteenth to the seventeenth years of their age. The House must, however, bear in mind that young men are at present allowed to enter the institution at Sandhurst when they are as much as twenty-one years of age, and to remain there, if intended for the cavalry, until they are twenty-three. The result is, that very few young men avail themselves of the opportunity afforded them by this system. Young men are allowed to come to Sandhurst from the Universities at twenty-three years of age, and the result is that they cannot obtain their commissions and commence their military career until they are twenty-five years of age. It therefore appears to me that the ages at which cadets are permitted to enter these Colleges should be reduced, so that the young men may commence their military career and training at an earlier age. This reduction in the ages of the cadets entering the Colleges was discussed at a meeting of the Council of Military Education, held at the Horse Guards in January last; but in consequence of the intention of my noble Friend to move for the appointment of a Royal Commission being communicated to us, it was resolved, with the concurrence of his Royal Highness the Commander in Chief, not to make any absolute orders that cadets must enter the Colleges at an earlier age than was now permitted until after the subject had been considered by that Commission. Let me now call the attention of the House to the result of admitting young men to Woolwich at the ages—namely, from sixteen to nineteen— to which I have already adverted. I hold in my hand a Paper giving the ages of the cadets who were at Woolwich on the 1st of the present month, from which I find the average age of the whole number of cadets at that establishment to be nineteen years and two months; that of the young men in the first class being as high as twenty, while the age of the oldest cadet in the first class was twenty one years and eight months, rendering it impossible that he could obtain his commission until he was twenty-two or twenty-three years of age, whereas cadets should commence their military career at eighteen years of age. My noble Friend, towards the close of his speech, touched upon a subject which I think is one worthy the consideration of the Royal Commission about to be appointed—namely, the system of what is commonly and familiarly called "cramming," from which great evils have resulted. There is, however, a subject of extreme importance and delicacy to which my noble Friend did not allude, but which it may be thought may well form one of the points for the consideration of the Commission. I must confess that I have never been a very zealous convert to the system of competitive examination; and I am disposed to think that those who believed firmly in that system have had their faith in it a good deal shaken in consequence of circumstances in connection with it that have recently transpired. I have been informed on unquestionable authority —and I can assure the House that I make the statement with great pain and regret, and I should, therefore, be extremely sorry were I in the slightest degree to over-state the case—that one of the effects of the system of competitive examination has been to lead to painful and serious irregularities and demoralization at the cramming schools. I quite believe there are many of those establishments which are conducted with every propriety and with every respectability; but these terms of praise do not, I am sorry to say, apply to all of them. At some of those establishments—and I fear at not a few—the principle acted upon is this: "You, the pupil, must give me, the teacher, so many hours in the day"—which generally is a large demand upon the time of the cadet, usually some nine or ten hours in the day—"and when those hours are over you may go where and do what you like." I am informed upon authority I cannot doubt that this is the system in force in too many of these establishments. Indeed, among my own private acquaintance, I know of a few cases in which young men, or boys, sent to these schools have come to their parents and entreated to be removed from them, on the ground of the irregularities and demoralization that prevailed there. It is a most serious question that any system should be allowed to exist under which the youth of this country, the sons of our gentry, cannot be trained to this noble profession without being tainted and demoralized at these ill-conducted establishments. So strongly was I impressed by the statements made to me upon this subject that, at the meeting of the Council of Military Education that was held at the Horse Guards in January last, I thought it to be my duty to suggest that they should take the matter into their consideration with the view of putting an end to this unfortunate state of affairs. A Committee (of which the Rev. Canon Moseley was a Member) of that Council was appointed to consider the subject and to make a Report upon it, and in the Report they made they recommended that a system of inspection of these schools should be established; but, after giving the subject very careful consideration, considerable doubt exists as to whether we shall be able to carry that recommendation into effect. Had it been clear that we could have introduced such a system with effect I should not have now mentioned the subject. I think, however, that the House will agree with me that the existing state of things is a most painful one, and is worthy any amount of inquiry to see if it cannot possibly be put a stop to. If establishments of this kind must exist, and cadets must attend them as an indispensable step to military service, they ought to be placed under such regulations as would remove the dangers to which I have thought it right thus briefly to advert. My noble Friend gave many reasons for embracing so many topics in his Commission. I do not ask him to alter the terms of his Motion; but I hope that when the Commission is appointed they will not extend their inquiries beyond what is absolutely required for a full elucidation of the subject. I regard the objects of this Commission as of great importance, and as being intimately connected with the efficiency of the army, and with the proper training of our youth who are educating themselves for that noble profession. I also agree with the noble Lord in thinking that the question whether the institutions at Woolwich and at Sandhurst might not be beneficially amalgamated is one worthy the serious consideration of the Commission, to the appointment of which I have now great pleasure in giving my assent.

MR. MONSELL wished to say a few words with reference to the somewhat disparaging remarks of the right hon. Gentleman on the system of competitive examination at Woolwich. Experience proved that system to be a complete success both intellectually and morally. The right hon. Baronet the Secretary for War had spoken of the cramming establishments, as if the system of cramming and the demoralization consequent upon its adoption were naturally connected with the system of competitive examination. Taking into consideration the number of cadets that had formerly to be sent away from the Woolwich establishment on account of the immorality that prevailed there, and the entreaties which were often formerly made by some of those cadets whose minds had remained uncontaminated to be taken away from that sink of vice, he thought the improvement which had been introduced into that establishment by the adoption of the system of competitive examination was enormous. With regard to the proposed amalgamation of Sandhurst and Woolwich, in a former debate difficulties were suggested that still existed with as much force as ever. It was clear that if they were amalgamated, by far the greater proportion of pupils would be destined for the Line, and not for the scientific corps; and the necessary and natural result would be that education would be conducted with regard to the requirements of the non-scientific rather than the scientific corps. On the question of reducing the age at which pupils were admitted, he would urge them to look at the practice in other countries. There was in France an institution corresponding to that suggested by the noble Lord, for the general education of cadets, and yet, although pupils were admitted to the Ecole Polytechnique from the ages of sixteen to twenty, there were hardly any admissions under seventeen, and very few between seventeen and eighteen, and the majority were between the ages of eighteen and twenty. It would be almost impossible for Artillery and Engineer officers to receive a proper scientific education, supposing the course to be two years, if they were to enter at an earlier age. It seemed to him it would prevent the possibility of the scientific corps receiving the education necessary to fit them for the proper discharge of their duties if the age were reduced. As to the results of the competitive system he was assured on the highest authority, that nothing could be more marked than the increased application and industry which had followed its introduction. Formerly young men who studied were laughed at, but now study was the rule. Again, the standard of scientific acquirements was higher for cadets entering the Royal Military Academy than it was formerly, for the commission examinations. So far from the gentleman-like tone being impaired by the competitive system, he was assured it was exactly the reverse, and that the conduct of the cadets was exemplary. In every particular—knowledge, conduct, and ability—the new system answered perfectly. A large number of those who entered Sandhurst had failed at Woolwich; and there was a remarkable instance of two young men who failed at Woolwich attaining the top of the list in the competitive examination for direct commissions. The present condition of the Royal Military Academy was on the whole satisfactory, although improvements might be made, and the expenditure was, perhaps, excessive. There were two staffs of military officers receiving high pay, with very little to do, and there were too many of the traditions maintained, of rules suited, perhaps, to school boys, but not suited for young men. He sincerely trusted there would be no tampering with the competitive system, which worked so well, for no movement could be more retrograde than an attempt to interfere with it.

Sir JOHN PAKINGTON said, he had been rather misunderstood. Speaking generally as to the competitive system he did not wish to say it had produced bad effects at Woolwich; on the contrary, as far as he had heard, he accepted the statement of the right hon. Gentleman that the results at Woolwich were quite as good as they had been before its introduction.

Colonel NORTH, referring to a Committee appointed on his Motion many years ago, said, there was hardly a distinguished officer of the Royal Artillery and Engineers examined who did not express the opinion that the ages for admission into the Engineer and Artillery corps should be lowered, and that the educational test should be lowered also. The question was put whether the test now required from the officers was necessary for the daily performance of their duties, and the answer was that it was not. With regard to the entrance of officers into regiments of the Line, many of them began their duties as subalterns when they ought to be captains. He was delighted his noble Friend had succeeded in his object, because the state of Sandhurst College had been most extraordinary, boys of fourteen being in the same category with young men of seventeen and eighteen; and there must be great difficulty in framing rules suitable to these two classes. He hoped the Royal Commission would be able to take these points into consideration, and that some steps would be adopted by which such proceedings as his noble Friend had adverted to would no longer prevail.

Mr. O'REILLY congratulated the noble Lord on his success, which rendered it unnecessary for him to detain the House with many observations. He wished, however, to draw two morals from the course of investigation which had been pursued on this subject. One was the great importance of perseverance. They were always told in making such a Motion that further inquiry was unnecessary, everything was already known, and it was idle, futile, to seek further inquiry. This subject had gone through these stages, just as that of recruiting had done. Another little moral related to the question how far the Government or the House of Commons were accountable for economy and efficiency in the expenditure of the country. It had been roundly stated that the House of Commons, having assented to the Estimates proposed by the Government, were fully as much accountable for the public expenditure as the Government who proposed them; and if there was anything to blame in the expenditure, it rested quite as much with the House of Commons as with the Government. He entirely dissented from the doctrine. It was impossible for the House of Commons in detail to enforce economy in the public expenditure. Even with regard to those military schools now to be inquired into by a Royal Commission, he had stated more than once that he believed the expenditure to be extravagant and unnecessary, and he undertook to demonstrate the fact. So long ago as 1862 he had called attention to what he believed to be the extravagant expense of the military schools of the country, founded on a comparison of Woolwich and Sandhurst with the Ecole Polytechnique and the Ecole Speciale Militaire, their correlatives; the expenditure at Woolwich being £160 per annum for each cadet, while in France it was only £115; and the teaching and superintendence, which in England was £85, cost in France only £40 each. At Sandhurst the expense of living was £70; at the Ecole Speciale Militaire, £50; while teaching and superintendence cost in England £70, and in France £34. The Secretary for War said inquiry was unnecessary; but next year he went a little farther, and ventured, having made careful inquiries throughout the country, and comparing the cost of teaching in military schools with the teaching in civil schools, to show that the teaching power in military schools everywhere was extravagant. The number of pupils at Woolwich was 180, and the number of teachers 35. There was great excess here, particularly in mathematics, there being not less than seven teachers in that department. Of course, they were met with the usual official stereotyped answers to such criticisms. The noble Lord (the Marquess of Hartington), then Secretary of State for War, was not very able to answer; but the right hon. and gallant Member for Huntingdon (General Peel) came to the rescue, and stated that the subject had been exhaustively considered by the Commission appointed in 1857, which had reported when he was Secretary of State. He attributed the ignorance which prevailed on this subject to the fact that the Library contained no copies of that Report, and the noble Lord (the Marquess of Hartington), as the result of that appeal, placed two copies in the Library. He devoted considerable time in reading that Report, and, strange to say, the Royal Commissioners corroborated most of the statements that had been made in that House, and made recommendations similar to those that had been suggested by hon. Members in the various debates that had taken place upon the subject. What steps, then, had been taken since 1857 to carry out that Report? With regard to the cost of education, this Commission reported that £100 per annum ought to cover the expense of a pupil at any military College. Did not that show that £160 was excessive? And so with regard to the teaching staff. The Commission reported that it was excessive. He then referred to the suggestion of the right hon. Baronet the Secretary of State for War, that the age of admission should be altered from sixteen to eighteen, to fifteen to seventeen, and observed that an earlier age should not be named for entering the College, but that they should diminish the time at which these cadets might reasonably hope for promotion. In conclusion, he said that it was futile to throw upon the House of Commons the responsibility of increased Estimates; the responsibility rested with the Government, which alone possessed the requisite knowledge of details.

Sir STAFFORD NORTHCOTE, in reference to remarks from the hon. Gentleman who had just addressed the House, said, he certainly did not understand his right hon. Friend to propose a reference to the Committee of matters under the jurisdiction of the Crown.

Mr. Alderman LUSK, referring to the late Sir George Wetherall, said, that officer seemed to have been placed at the head of Sandhurst, not because he was known to possess abilities as a teacher, but in order to reward him as a military man. But if it was intended to reward or honour a man it should be done directly, and not by placing him in a position for which he was not specially qualified. He found that Sandhurst cost £36,731 a year, and there were taught 300 cadets. He would ask any man accustomed to teaching, whether that was not a very large sum to pay. Again, Woolwich cost £38,581 for teaching 200 cadets. At Sandhurst, 300 cadets had 162 professors, teachers, and servants to look after them; and, at Woolwich, for 200 cadets, there were 149 professors, teachers, and servants to discharge similar duties. And yet it appeared from what had fallen from the noble Lord that these young men, notwithstanding all this looking after, were in the habit of going out to smoke, drink, and play billiards. The House could understand from that how it was that riots had occurred. One might expect that all these professors would be able to keep the young men in better order. There was one question which he wished to ask, and that was, whether those two institutions could not be put together and one large establishment formed, so that the expense of two sets of professors, instructors, teachers, and servants for 500 young men might be saved to the country?

GENERAL PERCY HERBERT wished to say a word with respect to the canteen established at Sandhurst, which had been referred to by the noble Lord. That canteen was opened for the purpose of supplying coffee, beer, and other things by way of luncheon and ordinary refreshment, but not spirits, to the cadets out of hours, and the object was to keep them from the temptation of the public-house. Billiard tables were established like racket-courts, with the view of giving the young men amusement and keeping them from low houses, where evil associates were likely to be picked up. He wished to express his satisfaction at the success of his noble Friend's Motion, and at the spirit in which the Secretary of State intended to meet it by recommending Her Majesty to issue a Royal Commission. The state of Sandhurst and Woolwich ever since he had any knowledge of them had been very unsatisfactory, and that was owing to a matter which had not been mentioned during the discussion. The fact was the young men were, for the most part, put four or five together into rooms; there was not much more moral supervision over them than over soldiers in a barrack; and they were not looked after in the way that boys were at Eton, Harrow, or any other of our public schools. That was a great defect. The professors, who were many of them very able men, when they had finished their lessons, had nothing further to do with the cadet; and, though the officers who were placed over them did undoubtedly look after the young men according to their view of their duty, and a natural view it was, yet the moral influence which was found so salutary, and which tutors exercised over boys at public schools, was wanting. Military men for the most part were not suited to be schoolmasters, because the business of the schoolmaster was one to which they had not been brought up; but, though absolutely necessary as teachers of technical matters, such as military history and fortification, he must give his candid opinion that, as far as the tone of moral conduct went, they made very bad schoolmasters. His noble Friend wanted to establish a University which every one who went into the army should be bound to enter. No doubt, there were arguments in favour of a higher professional education; but, while he was perfectly willing to see a University established where persons might go to take a degree in military science, he did not wish to force young men three or four years beforehand to make up their minds to enter the army. In his opinion they could not get better officers than were to be had from our public schools.

MR. M. CHAMBERS pointed out that the inquiry which had been promised was of a small and limited nature, and expressed his regret that it was not to be larger and wider. Speaking from his experience at the military College of Sandhurst, he must express his opinion that the education of officers with respect to general attainments was now placed on too high a standard. That standard would not secure for the country, active, courageous, and able regimental officers in the general service. His dread was that many most excellent young men, most competent to be regimental officers, would be excluded from the army by reason of the competitive examination. At a former period men who could not at the present day have passed the competitive examination distinguished themselves in the Peninsular War, some of them attaining the highest rank, fighting well, proving excellent regimental officers, and maintaining in most difficult times the honour of the British flag. It was not alone a knowledge of mathematics, or of history, or of many other things he might mention, that was required by a military officer. On the contrary, he thought that a man might have his mind over-crammed with general knowledge, and be thereby less fitted for the performance of his duties than would otherwise be the case. He had himself been educated at Sandhurst, and much did he owe to the education he received there; but he remembered that at that time of day the students were taught how to load and manage a gun, but they were not allowed to use powder. Some time after that they were instructed in riding, which was doubtless a very necessary part of their training, but this was not done while he was in the school. The grand object should be to investigate the question as to what education was respectively required for regimental officers, for Engineer and Artillery officers, for staff officers and commanders of high rank; and nothing could be more mischievous than that a young man should, after a competitive examination, enter the army as an ensign or lieutenant, with the fancy that he knew better than everybody who happened to be above him. For his own part he thought it would be much better to unite the two establishments of Sandhurst and Woolwich. It should be understood that when this Commission was appointed, its duties should not be limited to a mere inquiry into what took place at the Colleges of Woolwich or Sandhurst; but that the whole system of army education, including competititive examinations and appointments to first and second commissions, should be thoroughly investigated, and the effect of the competitive examinations should be inquired into, so that the Commissioners might report for the consideration of the House whether they would continue the system of competitive examinations, which he granted might give them good officers, but which might exclude the very best of officers.

Colonel SYKES referred to the experience of the East India Company, in connection with their great institution at Addiscombe, as illustrating how scientific education for the Engineers and Artillery might be combined with instruction for regimental positions. Addiscombe had sent out very many distinguished Artillery officers and Engineers to India, and among them was Sir Robert Napier, now commanding the army in Abyssinia, who went out very young. Some of the most distinguished Engineers that we had in India obtained their swords of merit by the time they were seventeen. He regretted to hear an hon. Gentleman complain that men went into the army too young. It was desirable that those who were intended for service in any country like India should go out at an early age, in order that they might get acclimatized, and might hold on. He himself had gone out at fourteen, he was under fire at fifteen, and he attributed his present advanced age and health to youthful acclimatization. He was glad to hear that the Commission was sanctioned, and if it were properly carried out, and due inquiry made as to the working of Addiscombe, he had no doubt that the result would be the combination of the two establishments at Woolwich and Sandhurst, not only with great efficiency, but also with great economy.

Mr. ACLAND submitted that if there was one point more than another which required attention in connection with this question, it was the great secret of knowing how to teach. He earnestly hoped that the Government, in framing the terms of the Commission, would leave it open to the Commission to consider, and would almost direct their attention to, the question—how could the drill instructors of the English army be taught the art of teaching? If England meant to go on paying for auxiliary forces, 180,000 Volunteers, besides Yeomanry and Militia, it behoved the Secretary at War to consider whether the officers of some 300,000 or 400,000 men ought to be intrusted with the duty of teaching their brother civilians without, at least, having had an opportunity of going to some institution where they might be taught — first, the facts they ought to know; secondly, the principles on which those facts rested; and, lastly, how to impart them to civilians, who had very little time, and were not now properly taught by the drill instructors. Some of the instructors were very able, but they were only a very few amongst the many.

Mr. WHALLEY said, he agreed with the hon. and learned Gentleman the Member for Devonport (Mr. Chambers) that under the present system the minds of officers were emasculated by over education. He hoped that the Commission to be appointed would include this subject in their inquiries — that they would consider why the two institutions alluded to were required at all, and on what grounds young men did not enter the army at as early an age as they entered the navy.

Motion *agreed to*.

*Resolved*, That an humble Address be presented to Her Majesty, praying that a Royal Commission composed of Military and Civilian Members be appointed to inquire into the present state of Military Education in this Country, and more especially into the training of Candidates for Commissions in the Army, and into the constitution, system of Education, and discipline of the Royal Military Academy at Woolwich, and of the Royal Military College at Sandhurst, as well as into the rules and regulations under which Candidates are admitted into those Colleges. — (*Lord Eustace Cecil.*)

## EAST INDIA CIVIL SERVICE.

### RESOLUTION.

Mr. FAWCETT, in rising to move a Resolution relative to Examinations for the East India Civil Service, said, that Her Majesty, in her Proclamation to the People of India in 1858, which had been looked upon as the charter of their liberties, declared it to be her will and pleasure that all her subjects, of whatever race or creed, should be fairly and impartially admitted into her service, if they were qualified by education, ability, and integrity. He should be able to prove that if some scheme like that he intended to propose was not carried out that promise would not be faithfully fulfilled. Under the present system of admission to the Civil Service, a preliminary examination was necessary in London, to decide on the candidate's intellectual and moral fitness; and on succeeding in this he was required to spend two years in this country, taking minutes of the proceedings of Courts of Justice, and in other ways preparing himself for his duties. It was no doubt true that the Natives of India might compete in these examinations; but, as they could only do so by coming to London, at great expense, and then might be unsuccessful, to say that the examinations were practically open to them was an idle mockery. In fact, though the system had continued for many years, only one Native had entered into the competition. His proposal was that there should be examinations at Calcutta, Madras, and Bombay; that there should be the same papers and the same tests as in London; and that the successful candidates, whether English or Native, should spend two years in this country. To this he had reason to believe, from memorials he had received from Calcutta and Bombay, the Natives would not object, though they naturally objected to coming over to England in the first instance without any guarantee of success. Their two years' residence here might be turned to good account; for conversation with many of the leading members of his own University enabled him to say that at Cambridge, as also, doubtless at Oxford, they would be welcomed and encouraged to spend the two years there, and they would thus be brought in contact with the best of our English youth. There would be no difficulty in carrying out this plan; for the examination papers might be sent under seal to India, and, the examination being fixed for the same day as in London, the candidates' papers might be sent home under seal, and inspected by the same examiners, the names of the successful candidates at all four examinations being arranged in the order of merit. This would be analogous to the plan pursued with the Middle Class Examinations, Cambridge University having a centre at Trinidad, and the examination there being conducted as fairly as at London or Liverpool. An objection might, indeed, be taken on account of part of the examinations being *vivâ voce*, but some of the best scholars from English Universities held professorships in India, and were perfectly competent to conduct *vivâ voce* examinations. The Secretary for India, while not resisting the claim of the Natives to a larger share in the government of the country, preferred a compromise, which was embodied in an Amendment to be moved by his hon. Friend (Mr. Trevelyan) —namely, that a certain proportion of the appointments should be reserved for Natives who were properly qualified. The plan, however, unless the proportion were absolutely fixed, would vary with the changing opinions of each Governor General or Secratary of State, and it would not satisfy the just demands of the people of India. Even in the Uncovenanted Service there was only one Native. Some favoured the plan of permitting a given proportion of the Civil Service to consist of Natives; but if it were decided that one-third or one-fifth should be Native, it might happen that the quota could not be supplied in consequence of the inefficiency of the candidates. But under any circumstances the admission of Natives on the present terms would be very trying to them, because they would always occupy an inferior position; for Englishmen, who were prone to feel proud of their race, would say to the Natives that had they been obliged to undergo the same test that they as Englishmen had been subjected to, they never would have been admitted to the Civil Service, and they would therefore take care to keep the Native civil servants always down. The people of India were ready to undergo whatever intellectual test it was deemed wise to impose; all they asked for was to be subjected to precisely the same trial as the English. He had seen letters from Natives of India stating that, if they could only obtain this privilege of perfect equality, and the result should show that not one Native could prove himself equal to his English competitor, they would then have no longer any ground for complaint. He made no prediction as to the number of Natives that would be successful in the examinations; but he believed that it would be an intellectual rivalry which would benefit the people of England as well as of India. He felt confident, however, that a large number of Natives would be successful; and he based his confidence on the fact that they were a studious people and showed an extraordinary zeal for a high education. Intellectually, he was convinced the Natives were not inferior to the English. A very eminent friend of his, who had been twelve years tutor at Cambridge, and who had also been tutor at Calcutta, said that he never had another class for high intellectual character such as he had at Calcutta. The Secretary for India might say that something beside intellect was needed, and insist upon moral qualities as well. He answered that moral qualities should also be insisted on when Englishmen were chosen to assist in the government of those whom they looked upon as a subject race. Sir Bartle Frere had said that those Natives who had received a good education were always foremost in their advocacy of the Imperial Government. He (Mr. Fawcett) saw no objection, however, to requiring that Native candidates should pass two years in some recognized English educational establishment where their moral character might be studied. It should be said, in defence of the Natives, that to make them fill inferior offices at a mean rate of pay was not the way to cultivate integrity among them. Even a Native Judge who had power to decide cases involving sums up to £500 received no more than one-fifth of the lowest European Judge in India. Sir Thomas Munro had testified to the assiduity of the Natives; he had spoken of them as better men of business than Europeans, and more fitted to fill offices under Government, because they were acquainted with the manners and customs of the people; and, with reference to their alleged inferiority of character, he had asked, what would be the effect on English character if we, having been subjected, were debarred from all but the meanest Offices of State? our civilization and our literature would be destroyed, nothing would save us from debasement. It was an indisputable fact that many Natives competent to govern a province were fulfilling the humblest duties at salaries less than was received by the youngest member of the Indian Civil Service. Lord Metcalfe had well said that the bane of our system was that the advantages were reaped by one class and the work was done by another. The great reason why the people of India were not more contented with our rule was, not that we had not given them material prosperity, but that we had excluded them from social, municipal, and political offices. The great defect of our Indian system had been its rigid centralization. It was obvious that those who had been brought up upon the spot must be better able to understand the wants of the people, to enter into their feelings, and to appreciate their prejudices, than those who were completely strangers to them. Sir Bartle Frere, in one of his despatches, said he had been much struck with the fact that the ablest exponents of English policy, and our best coadjutors in adapting that policy to the wants of the various nations occupying Indian soil, were to be found among the Natives who had received a high-class English education. It was too often forgotten in that House that India was really not one nation, but it was composed of many nations, and therefore a system of strict centralization was peculiarly ill-adapted to that country. What was particularly wanted in India was that that there should be in the public service persons who understood the particular manners, customs, and prejudices of the varied and distinct nations of which it was composed. By carrying out the proposal embodied in his Resolution they would redress the grievance complained of, inasmuch as they would throw open the appointments in the public service in that country to all those Natives who were intellectually and morally qualified to fill them. Directly they educated a man they made him ambitious to take part in the government of the country, and, therefore, it became more hard each day on the people of India to quench the ambition which by these educational efforts we had called forth. It was very hard, again, that the children of English officers or civilians resident in India should not have the same facilities for obtaining admission to service under the Crown as were possessed by the families of officers or civilians resident in England. This consideration would become of even greater importance if, with increased facilities for locomotion, and with means of sending children to the hills every year, it became possible to rear the families of Europeans in India itself. The course which he advocated was based upon justice; and he was perfectly certain, that if adopted, it would have a most beneficial effect upon public opinion throughout our Indian territory. It had been well said of the subjects of Her Majesty's Eastern Empire—that in their prosperity was our strength, in their contentment our security, and their gratitude would be our best reward. The hon. Member concluded by moving his Resolution.

MR. M'LAREN seconded the Motion.

Motion made, and Question proposed,

"That this House, whilst cordially approving of the system of open competition for appointments in the East India Civil Service, is of opinion that the people of India have not a fair chance of competing for these appointments as long as the examinations are held nowhere but in London; this House would therefore deem it desirable that, simultaneously with the examination in London, the same examination should be held in Calcutta, Bombay and Madras."—(*Mr. Fawcett.*)

MR. TREVELYAN: Sir, I gather from the speech of my hon. Friend, with the spirit of which I cordially agree, that he has two principal objects in bringing forward this Resolution. First, he wishes, by placing the Natives of India in intellectual competition with our own countrymen, to vindicate their claims to mental superiority, and thereby to diminish the tone of disparagement and contempt which is too often adopted with regard to them; and, secondly, he aims at giving them a fair share in the administration of their own country. Now, Sir, if the House will lend me its attention, and I promise not to detain it long, I hope to be able to show that the first of these objects, so far from being furthered by the course which my hon. Friend calls on you to adopt, will, on the contrary, suffer from it a great and, what is more, an irremediable check; and that the second will be attained in a much more sure and satisfactory manner, by the course indicated in the Amendment which I have placed upon the Paper, and which the Government has since embodied in a Bill: a Bill to which, as a humble but sincere well-wisher to India, I beg to give my cordial approval. Sir, I deplore equally with my hon. Friend, the manner in which European settlers and planters, and, in too many cases, the younger officers of our army allow themselves to speak of their Indian fellow-subjects. As a proof of sincerity on this point, hon. Gentlemen will perhaps not think it impertinent in me to state that I once wrote a book, whose only merit consisted in its being a protest against the high-handed, overbearing, and unjust way in which many Englishmen spoke of and dealt with the population whom it was their special national mission to govern and to elevate; a protest which called down on me the vigorous denunciations of the Anglo-Indian Press. But, Sir, the policy of my hon. Friend, instead of extinguishing those feelings of dislike and depreciation would only serve to embitter and perpetuate them; and the process by which this unfortunate result would come about is obvious and certain. What is this Covenanted Civil Service? What is its special object, and what is the public reason for its existence? It is the appointed channel through which the knowledge, the ability, the higher morality of the United Kingdom is applied to the administration of India, and not of the United Kingdom only, but of Canada, Australia, and the other British colonies. In order to ascertain who are the best and ablest among our young men, we hold yearly a searching competitive examination; and, in order to attract the greatest possible number of such young men, we hold out to the successful candidates the certainty of a highly paid and most influential, and interesting public career. To bring to bear upon India the highest governing powers of the United Kingdom and the whole British Empire, is, therefore, the object of the Covenanted Civil Service, and the justification for its existence. And hon. Gentlemen must remember that it needs such a justification, for this Civil Service is guarded by monopoly, and fenced round with privileges. It is exclusive to such a degree, that the Government are bound to continue in their service, and to promote according to the ordinary routine, every civil servant who is sent out under covenant, unless he commits some act of gross misconduct; and they are also restrained from looking abroad for persons of experience and ability, and are bound to confine themselves to members of this privileged class, unless circumstances should occur of such a special and exceptional character, that practically they never have occurred, and the monopoly of the Covenanted Civil Service remains to this day uninfringed and absolute. The civil servants sent out to India are untried young men, and, owing to moral and physical defects which cannot be absolutely tested in an examination, a proportion of them are certain to turn out unfit for the highly difficult and important administrative career to which they have been designated; and yet the conditions on which they entered the service must be observed. The Government must fulfill its side of the contract. Good or bad they must be promoted in their turn, or in something like their turn. Posts worth their acceptance have to be found for them. Men are made Judges who are notoriously deficient in discrimination, and are appointed to govern provinces as large as an English county, though they have never learned to govern themselves. And yet, for the honour of our nation, it must be said that the number of bad bargains is surprisingly small; and the reason is evident. Success in the competitive examination is a guarantee that an English civil servant possesses industry, and intellectual ability, and an Englishman who is industrious and clever is very seldom deficient in the moral qualities of force, energy, honesty, and courage; qualities which are absolutely essential to all who aspire to be enrolled among the governing caste of an Oriental people. But it is far otherwise with Hindoos. The Natives of Bengal are remarkable for extreme quickness and cleverness; but, as compared with Europeans, are singularly deficient in the bolder and hardier virtues—in pluck, self-reliance, and veracity—the three great national attributes by which we gained, and by which we retain our hold upon British India. In such a competition as is proposed by my hon. Friend, they would be eminently successful; for remarkable as is their capacity, it is not so peculiar as the premature ripeness of their intellect. Their turn for mathematics is extraordinary. A Cambridge contemporary of my own, who was professor at the Calcutta University, a distinguished wrangler, assured me that the young men whom he was engaged in instructing, rushed through his course of subjects at such headlong speed that he began to be afraid lest, at the end of six months, he should have nothing left to teach them. There is no doubt that if you adopt my hon. Friend's Resolution; if you open these doors at Calcutta, Madras, and Bombay, the Natives would come in by shoals, and just reflect a moment on what you will be doing. The Hindoos are strong in intellect, and confessedly weak in *morale*. You submit them to an intellectual test, which the great number are pretty sure to pass. You dispense with the moral test, by which the great number are pretty sure to fail. You will have the service full of bad bargains. And why? Why, Sir, because in old Haileybury days, when the service was close, and there was no competitive test, a bad bargain meant a man who was a fool. In these days, when there is a competitive test, when every successful candidate must have, at the least, some book learning, a bad bargain means a man who is a muff. And, Sir, if 5 per cent of the English competition wallahs are found wanting in the vigorous and manly virtues, indispensable to the members of a ruling caste, what will be the percentage among the Hindoo competition wallahs? Why, many times as great, Sir; and everyone, who thinks for a moment, will see that it must be so, and no one more clearly than the hon. Gentleman, who, in discussions of this nature, has the immense, and almost unique advantage of being equally versed in practical education and practical politics. Of course, where you find one young English civil servant unequal to the duties and responsibilities of his career, you will find ten or twenty Natives; for the very plain reason that we, as a race, are far superior to them in force of character. We know that it is so by observation; by their own confession; by the overwhelming testimony of fact. If it be not the case—if the average of what I may call the governing qualities is as high among the Hindoos as among the English, how did we ever get to India, and how do we contrive to stay there? We are there because nine Englishmen out of ten are born to rule, and ninety-nine out of 100 Hindoos are born to be governed; because we are manly, and they are effeminate; because—but instead of giving reasons to ourselves why we are in India an Imperial race, ask the first Native, and what is he sure to tell you? He is sure to say—and I appeal for confirmation to every old civil servant in the House—that the secret of our power in India is not so much our valour, not so much our enterprize, as that we, as a nation, speak the truth, and never take bribes. And, therefore, Sir, if, in an evil day for our rule in India, you listen to the advice of my hon. Friend, you will fill the service with men who will succeed in the examination, and altogether break down in practical life. The Indian career is of such a nature that the youngest civilian has constant demands upon his stock of determination and self-reliance. Contingencies are frequently occurring when he is looked to to put down a dangerous outbreak; to coerce or cajole a refractory potentate; to arbitrate between religious sects inflamed against each other by mutual injuries. On such an occasion the great majority of these unhappy Hindoo competitition wallahs would succumb to the difficulties of their situation, and then what would become of the philanthropic motives of my hon. Friend? Would this be a state of the case likely to induce English planters and subalterns to moderate their tone towards the Natives of India? No, Sir! On the contrary, they would imagine that everything harsh and unkind which they were accustomed to say and believe had received an additional justification. Their taunts and sarcasm would acquire fresh point, and they would believe that they had now good ground to upbraid the Hindoos for inferiority of character, whereas, up to that time, they had only abused them on speculation.

But, Sir, if we reject the proposition of my hon. Friend we are bound in honour as a nation to substitute for it some machinery by which Native Indian talent may be brought to bear upon the administration of India. I say, in honour as a nation, because in the 87th section of the Charter Act of 1833 we solemnly pledged ourselves to open all employments to Natives, without distinction of caste, sect, or religion. And how have we redeemed this pledge? We have extended the line somewhat as regards the subordinate class of employments to which Natives are eligible. If this had not been done the business of the country could not have been carried on, and public affairs must have fallen into utter confusion; and, at the same time, we have appointed Natives to the honorary unpaid situation of Legislative Councillor, and to a very small number of Judgeships of the High Courts—two or three for the whole of India. But as regards the great bulk of judicial revenue and other offices the monopoly of the Covenanted Service has not only been practically maintained, but has been confirmed, and has had a new legal sanction given to it by the Civil Service Act of 1861, whereby all the situations previously held by the Civil Service have been scheduled and declared to be tenable only by members of that Service, as well as all similar offices which may be created hereafter. That is the manner in which we fulfil our solemn national engagements. We ordain that the entire people of a great country, who from time immemorial had governed themselves, and managed their own affairs, should be entirely excluded from their own administration, except as regards those subordinate offices which could not be filled by members of the Covenanted Civil Service, without involving intolerable expense and certain inefficiency, and a very small number of high situations most of which were unpaid. And hon. Members must observe that, by declaring the Natives eligible for the high situations of Legislative Councillor and Judge of the High Court, we have admitted their fitness for the large class of situations which lie between the Judgeships of the High Court and the principal Sudder Ameenships and other subordinate posts which they are permitted to fill; and yet we take no steps to give practical effect to this inevitable inference. We ignore this fact; and give another proof, if another proof were wanted, that injustice always involves inconsistency. This injustice must be redressed; and the means of redressing it are fortunately at hand. In every Presidency there are two, three, or four Natives of tried character, ability, and official experience. These men are well known to the authorities of the district in which they reside, and the authorities would gladly employ them in the most elevated and responsible situations if the law did not place an obstacle in the way. In the Regulation Provinces—that is to say, speaking roughly, in three-fourths of British India, all the Governor General can do for Natives who have earned their promotion is to refer them back to the competitive entrance examination. What mockery this is! I appeal to those hon. Gentleman opposite, who do not love the modern system of competition, to put off men who have earned an honourable public reputation, by twenty or thirty years' practical service, by directing their attention to a competitive examination in English poetry and pure mathematics, held in a class room 6,000 miles across the sea. There are plenty of Natives, Sir, fit for any public employment, however weighty and dignified. I need not remind the House of the names of those great ministers of Native Powers—Sarlar Jung, Madhava Rao, Dinker Rao, and Jung Bahadoor, the famous Mayor of the Palace of Nepaul. And just as all the Indian world knows the fame of these eminent men, so the public opinion of every province can point to Natives intellectually and morally not one whit inferior to the best among our own countrymen. In Madras, for instance, when there was a question of a complicated operation connected with the annual assessment, it was universally allowed that, throughout the whole Covenanted and Uncovenanted Service, there was no one so fitted for the job as a Native *employée* called Ramiah. And how was this man rewarded? The Government gave him the best post they legally could: that is to say, they made him a sort of subordinate adviser to the

Revenue authorities of the Presidency. Now, would the position of such a man be bettered by my hon. Friend's proposition? When you have such a man ready to hand it is a farce to examine him in geology, and to ask him what play the quotation "When Greek meets Greek" comes from. The evils which the system of competition is intended to remedy are two. First, the ignorance of those who are possessed of patronage, as to the merits of the candidates for that patronage; and next, the tendency in all human beings to nepotism and favouritism. But in the case before us neither of these dangers exists. The resident authorities who have the patronage are well informed as to the merits and services of their Native subordinates; and there is no temptation to jobbery, for in the eyes of an Englishman, as far as favouritism is concerned, one Native is much the same as another. And therefore, Sir, the House might safely adopt my Amendment, which could be carried into practical effect by the least possible degree of change in the law. The 3rd and 4th clauses of the Civil Service Act allow the Authority in India to appoint any person to any office whatsoever, under special circumstances; provided he has resided at least seven years in India. Now, all that is really required is, that the provisions of these sections should be relieved from their exceptional character; and that it should be declared, on the authority of this House, that the selection for vacant appointments of qualified persons on the spot is to be considered as regular and normal a mode of recruiting the Civil Service, as nominating young men to it from this country according to the result of a competitive examination. Thus we should have two permanent sources of supply for the India Civil Service: one would be derived, as at present, from the competition at home of the youth of the whole Empire; the other, from a careful selection made in India itself of persons distinguished in the Uncovenanted Service and at the Native Bar. We should take a signal step towards raising the character and educating the intellect of the Natives, and so gradually rendering them fit to govern themselves. And for what other purpose are we in India at all? No purpose, at any rate, which we can confess before Europe and before the tribunal of history. We should imitate what was wisest in the policy of old Rome, as expressed by Gibbon in a most eloquent passage. But we need not go so far back, nor to such a distance from the country whose future we are discussing. There are examples nearer India. Akbar, the greatest of the great Mahomedan Emperors, opened the field of employment and distinction, in the most liberal manner to Hindoos—the conquered and subject race; and his fame and power were equally brilliant and durable. Aurengzebe pursued a different course. He sent orders to all governors and persons in authority to employ no more Hindoos, but to confer the higher offices on Mahomedans only: and from that day the Mogul Empire began to go to pieces, as must be the fate of all empires which rest on force, not on affection; on national monopoly of rule and honour, not on open and entire confidence between the governors and the governed. He would beg leave to move the Amendment of which he had given Notice.

Amendment proposed,

To leave out from the words "open competition" to the end of the Question, in order to add the words "as regards the appointment of untried young men to the East India Civil Service, is of opinion that natives of India who have proved in the Uncovenanted Service or otherwise their superior fitness for situations at present held exclusively by Members in the Covenanted Service should be appointed to them without undergoing a competing examination,"—(*Mr. Trevelyan*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Colonel SYKES said, that annually a number of Native young men of the highest intellectual and mental calibre took degrees in India by passing similar examinations to those which were necessary to the conferring of the same degrees in this country. And yet men who exhibited such capacity and attained those degrees were excluded from the Civil Service of India unless they passed examinations in this country which were by no means so hard as those they had already gone through. This was the practice, in spite of the fact that the Vote for the Education of the Natives of India amounted to £904,190, or more than was at present expended in the same direction on the people of this country. He certainly thought that those Natives who obtained such degrees as those of B.A., M.A., and M.D. ought to be permitted at once to enter the Civil Service and not be compelled to come to England for the purpose of undergoing a fresh examination. Certainly it would be advantageous to Indian aspirants to pass some time in England, as it would enlarge their views and give an improved tone to their minds, and young Indians might be induced to come to Europe if scholarships should be established in this country for those who looked to rise in the service of the Government. These scholarships would enable young Indians to obtain advantages which they could not procure in their native country. The support which we received from the Nepaulese troops in the suppression of the mutiny in 1857, we owed to the visit which Jung Bahadoor had paid to England. He (Colonel Sykes) was enabled to learn from his friendship with Jung Bahadoor, that when the Bengal mutiny broke out, delegates were sent by the mutineers to the Nepaul Court inviting co-operation against the English. A great meeting of the Court nobles and chiefs of the army was held, and the general sentiment was in favour of joining the mutineers; but Jung Bahadoor rose and said he too would have concurred in the opinions expressed, had he not paid a visit to England; but he saw there such industry, such energy, and such indomitable perseverance in conquering difficulties, that although the mutineers might at first succeed and drive the English to the coast, they would be involved in the end in defeat and ruin. Happily his advice prevailed, and the Nepaulese army joined the English, and Jung Bahadoor's prediction was verified. On the whole, therefore, he (Colonel Sykes) would encourage Natives to finish their studies in England.

MR. FAWCETT explained that it was part of his scheme that successful competitors should reside two years in England.

COLONEL SYKES said, he was also opposed to the Amendment, believing that it would be worse than of no service to the Natives; but he believed the time was arriving, and educated people were accumulating so fast in India, and the self-respect and importance of the Native population were extending so rapidly, that some suitable and dignified positions must be obtained for them in our service, in order to ensure their attachment, instead of exciting their jealousy and resentment.

MR. NEATE said, that having for two years been brought, in his capacity of Examiner, into contact with the candidates for the Indian Civil Service, he wished to make some brief remarks on the subject before the House. The question of competitive examinations was indirectly raised by the Motion of the hon. Member for Brighton (Mr. Fawcett), and he was obliged to confess that his experience led him to doubt very much the efficiency of that system, and to doubt whether it was better than the old system of patronage. It was far from a good method of providing for the Civil Service of India. He had had a good deal to do with the people of India; and the feeling among them undoubtedly was that the class of men now sent out to represent this country were inferior to the men sent out under the old system, and could not acquire in the same degree the respect of the Natives. The civil servants were now degenerating into a lower class of society, and there was rising up in the different Presidencies a new class of independent Englishmen, especially at the Bar, who looked down on the Civil Service. His hon. Friend the Member for Brighton had said that he intended by his Motion to provide that those who were appointed to the Civil Service by the competition by examination in Calcutta should reside two years in England. If the Motion expressed that, he should view it in a different light—not on the ground put forward by his hon. Friend who sat near him (Mr. Trevelyan), that the candidates would be more impressed with the irresistible power of this country, but because they would have learnt the principles and morality of this country. As to the mere question of learning, however, it might happen that the English competitors would be placed at a disadvantage as compared with young Indians of the same age, who, though less fit to discharge the responsible duties imposed upon them, would have greater facilities for preparing themselves for an examination. If he were to chose between the Motion and the Amendment, he should prefer the latter; because it was based on the principle that our great object was not so much to secure men who were able to pass a good examination in languages and mathematics as men imbued with the spirit and tone of this country.

SIR STAFFORD NORTHCOTE said, it was not without some regret that he felt himself obliged to oppose the Motion of his hon. Friend the Member for Brighton, for in the object aimed at he was disposed to agree very much with the hon. Gentleman, as he naturally desired to promote, as far as possible, the employment of Natives of India in the Civil Service and government of that country. He was conscious that the offer now made to the Natives of India—that they should present themselves at the competitive examinations in this country—was at all events at present little more than a nominal opening for Natives, though he hoped, that by-and-by, it would become something more. At present, however, it was only with great difficulty that Natives could pass such an examination. Although he was unable to accept the proposal of the hon. Member for Brighton, he should be extremely glad to adopt a system by which competition might be adopted in the first cities of India. This matter was brought under his attention some time ago by a deputation which waited upon him—he believed in July or August last—at the India Office. He listened to their statements, and promised to consult the Governor General and other persons of authority on the subject. He did so, and one or two objections of a subordinate character had been suggested, such as the difficulties of a mechanical kind as to the mode of carrying the examination into effect; but he believed, from representations he had had from the Civil Service Examiners, that those objections might be very readily got over. He believed that examinations upon paper might be conducted in the way suggested by the hon. Gentleman; but with regard to *vivâ voce* examinations, it would be difficult to find a proper standard of comparison. The difficulty would be to compare the *vivâ voce* examinations conducted in one place with those conducted in another. He attached great weight to these *vivâ voce* examinations, as they showed that the candidate was able to make use of the knowledge he had acquired on the spur of the moment, when unexpected questions were put to him. Another objection to the proposal would be that the examinations should be held in many more centres than the two or three suggested by the hon. Member, if they were intended to be accessible to certain classes of the Natives. A further objection that might be suggested was, that if the proposal were adopted, it might at some future period be urged that the nature of the examination was of a character not suitable to the people of India, and considerable pressure might be brought to bear for the purpose of getting the standard of examination altered, under the pretence of adapting it to the capabilities of the Natives—an alteration that would be much to be lamented, as the service as now constituted was one of which England had every right to be proud. The hon. and learned Member for Oxford (Mr. Neate) had made some observations upon what he called the deterioration of the Civil Service in India under the system of competitive examinations; but it was doubtful whether, upon a full and impartial inquiry, any grounds existed for that complaint. It was quite true that when a change of system occurred, the minds of the Natives were prejudiced against those who were appointed under the new system, and were disposed to look jealously upon them; but, from recent information, he had reason to believe that that feeling on the part of the Natives had passed away, and that the merits of the new comers as a body had been acknowledged by them. The present system was still going on, and those appointed under the competitive examination system had scarcely yet risen to the higher posts in the Service; but, within his own knowledge, two of those gentlemen who were now in this country, and who were among the first of those who were appointed under that system, were as promising and as distinguished young men as were to be found in the service of the country. On the whole, he had reason to believe that the system answered exceedingly well, and was likely to prove of the greatest advantage to the service. Another danger he should apprehend from the adoption of the hon. Member's proposal was this:—It was not improbable that a large number of Natives who might succeed in passing the competitive examination, and who might be perfectly fit for the lower posts of the service, would be totally unfit for its higher and more responsible posts, and the Government of India might hold it contrary to their duty to promote those persons to those positions—a course that would be likely to promote jealousy and heart-burnings among the Natives, who might consider that they were not fairly treated by being excluded from the more important positions in the service. In such an event the Government of India would probably feel called upon to obtain the required strength of will and of mind by having recourse to the Uncovenanted European Civil Service, instead of to the Covenanted Civil Service. He was exceedingly jealous of the Uncovenanted Service being employed in posts that should be filled by the Covenanted Service; because although there were, doubtless, many posts that might with propriety be bestowed upon those who had not passed through the test of competitive examination, still there should be great jealousy in admitting persons into the service through any other door than that furnished by examination, otherwise considerable pressure would be brought to bear upon those who had the patronage of those appointments. Every one conversant with the subject must feel that the great safety of the service in India lay in recruiting as far as possible the European branch of the service from the Covenanted Service. These were the reasons which induced him to pause and hesitate before he could sanction any such proposal as that suggested by the hon. Gentleman; and these reasons were confirmed by the views of those who were well qualified to speak upon the subject, being those who were practically engaged in carrying on the Government of India—men who were favourable to the employment of Natives in India, whose sympathies were in their favour, and who were desirous of making the Native Indian our friend—and they were of opinion that the adoption of the proposal of the hon. Member would be a measure fraught with much inconvenience and even serious danger. He wished to say a few words upon what appeared to him to be the *rationale* of the competitive examination system. He had always been an advocate for that system as a mode of obtaining young men for the Civil Service both for this country and for India. While that system did not necessarily secure that all those who passed through the examination were the fittest for discharging the duties of Government clerks and those which fell upon our civil servants, still upon the whole it was the fairest way of ascertaining, who among a large number of young men, had established, by their previous good conduct and application, a character for industry and ability, which was strong evidence to show that at least they formed a fair average of the class from which they were taken. But then the question arose, whether the average of the class of Native Indians from which the selection would have to be made was possessed of the necessary ruling and governing qualities to the extent those qualities were possessed by the corresponding class in this country—whether the Native Indians were possessed of the fibre required in men who were to be intrusted with political power and authority? It must be borne in mind that these men were selected to fill very important posts. They might be well fitted to fill the lower posts, but those who filled the higher posts of the service were frequently placed in situations where great responsibility fell upon them, and where men were required who were not only truly trustworthy as to integrity, but who in trying positions would not be afraid to act, and who could stand alone. They must have the vigour to control those who were under their authority, whether of the same race or another, because there would always be a considerable number of Englishmen and Europeans with whom superior officials would have to deal. Without casting any reflection upon the Native character as a whole, he much doubted whether an average Native was able to stand alone and to control the Englishmen under his jurisdiction. Therefore the competitive system, applied in an unfettered way, was not suitable for providing the class of men wanted. He was afraid the effect of it would be to bring in a large number of individuals of intellectual ability who would not have the strength required for administration. It was urged that we should do all we could to benefit the people of India. Everybody admitted that; but who were the people of India, and for whose benefit were we to to rule? If they adopted the theory of the hon. Member for Brighton, it would only be that class or section of the people of India who would carry off these appointments—a very small section of the community. It should be carefully remembered that we had to provide for the government of 150,000,000 of people, amongst whom only a small class could be described as intellectual. Our duty, therefore, primarily was to provide the best possible machinery for the good government of the whole mass, rather than for a small portion. Even were the system of competitive examination advocated by the hon. Member introduced, what would be the result? The Bengalese and other sects of the less vigorous but more educated races of India would be the class chiefly benefited. They would carry off the prizes in an examination of a purely intellectual character; but they were just the men who would conspicuously fail if you placed them in positions of difficulty, or set them to rule over the more vigorous races that we had under our sway. They would be employed without the advantages of Englishmen, without the prestige of the English race, and without the energy of the English character; and we could not rely upon their being treated with that esteem which in the East is attached to persons distinguished by birth and family connection. Under these circumstances, we ought to be cautious how we throw open the door by competitive examinations. This opinion was coincided in by many of those most favourable to the employment of Natives, including Sir John Lawrence, Sir Bartle Frere, and Sir Herbert Edwards; and the latter, in a paper lately read before the East India Association, spoke with great hesitation as to the *morale* and integrity of the great mass of the people of India. Attached to the pamphlet in which this was published were a number of letters, all purporting to be in favour of the employment of Natives; but there was scarcely one writer who boldly stated his opinion that the Natives, as a class, were to be relied on for the moral qualities required in rulers. He was afraid that any kind of test that could be applied in the shape of testimonials and inquiries as to character would be feeble security. Another reason for pausing was, that if once they entered into the system, they would be obliged to go on with it, no matter what might be the difficulties into which it might throw them. He would not close the door for ever against examinations; but there were other measures more suitable to the emergency which would do much towards introducing Natives freely. The first was that of scholarships; and if young men could be assisted to present themselves for examination in this country, and to receive a certain education here, much would be done to imbue them with English feelings; and even if they failed on examination, they would not have had their time thrown away, because they would have learnt much that would be useful to them. There was every disposition on the part of the Government to assist those who gained scholarships, and it was proposed to pay their passages out and home. It was suggested that, if the system succeeded, further scholarships might be created by the Government; and, by degrees, young men might be brought over and passed through the mill with competitors upon equal terms. This would provide a test of moral qualities, for it would show courage, vigour, and self-reliance for a young man to expatriate himself, and it would indicate that he was above the average in moral strength and fibre. There was another measure substantially the same as that embodied in the Amendment of the hon. Member for Tynemouth (Mr. Trevelyan), who, however, did not draw a sufficiently sharp distinction between the Covenanted and Uncovenanted Civil Service. That distinction was a matter of great importance. At present there were about 870 covenanted civil servants in India, with salaries ranging from about £360 to upwards of £5,000, few having more than that. The Uncovenanted servants, leaving the lowest appointments out of consideration, and including those whose salaries ranged from £250 to £1,000 and £1,500 (a few reaching £2,000), numbered 2,336. The average of the salaries of the Covenanted servants was £1,800, and that of the Uncovenanted servants £520. [Colonel SYKES remarked that Europeans held the highest paid positions.] Not exclusively, for there were fifteen Natives receiving salaries of upwards of £1,000, and several receiving upwards of £500. Unquestionably the number of Natives admitted into the Service was miserably small, and that the Government was endeavouring to remedy as soon as possible. Last year he had drawn the attention of the Governor General to the fact in a despatch, and had asked his opinion as to the possibility of finding a better opening for the employment of Native talent. The Governor General replied that steps were being taken to introduce a larger proportion of Natives in the non-Regulation Provinces. To that he replied it would not be necessary to confine the measure to the non-Regulation Provinces, but that it should likewise be carried out in the Regulation Provinces. With regard to the judicial service, Sir John Lawrence thought that, while it might be dangerous to throw it open widely to Natives, much might be done to employ Natives in it. His intention was to insert in his India Bill a clause giving the Government power to introduce Natives of India into appointments held by the Covenanted Service, if they were proved fit for them; and that would be a better mode of selection than the system of competitive examinations. At all events, it would be safe; and if it proved inefficient they might resort to other measures in order to give it extension. It was the earnest and sincere desire of the Government both here and in India to introduce the Natives into important positions in the service. It would be for the benefit of our rule, it would be of importance for India itself, that the Natives should be educated to govern themselves and their own affairs. They believed that an immense improvement was going on among the Natives, and would be gradually productive of beneficial change; but it was most important that nothing rash or hasty should be done. He believed that the step taken would give considerable impulse to that improvement, and to the real interests of Native agency, far beyond anything that had hitherto been done. He hoped, therefore, that having introduced a clause to give effect to the principle of the Amendment, it would not be thought necessary to press either the Motion or the Amendment to a division in order to commit the House to any positive view. He was very glad this discussion had taken place. They were taking action on the subject both in their correspondence with India, and in the measure they were submitting to Parliament, and he hoped the feeling of the House had been sufficiently manifested without taking a division.

MR. FAWCETT said, that after the speech of the right hon. Gentleman, he would not divide the House on his Motion. The right hon. Gentleman did not seem to impugn his Motion, but simply wished to try something else first. He should be doing an injustice to the question by now dividing, and he would have the opportunity of expressing his opinion when the Bill to which the Secretary of State for India had referred was before the House. He should support a scheme to enable the Natives to take a part in the government of their country. The Amendment, indeed, was not antagonistic to his proposal. It was simply to enable officers to pass from the Uncovenanted to the Covenanted service without coming to England to pass an examination. At the same time he thought that the people of India would not be satisfied at their being obliged to spend so many years in the Uncovenanted Service before they could enter the Covenanted, when, if they came to England and passed the examination, they could enter at once. All that the proposition of the Government meant was to admit persons that the Governor General thought fit to enter the Covenanted Service, and he thought that that would not be quite satisfactory to the people of India.

Amendment and Motion, by leave, *withdrawn.*

## MUNICIPAL CORPORATIONS (METROPOLIS) BILL.—LEAVE.

MR. J. STUART MILL, in moving for leave to introduce two Bills, one for the purpose of providing for the establishment of Municipal Corporations in the Metropolis, and the other for the creation of a Corporation of London, observed that both were substantially the same as those which the House permitted him last year to lay on the table. The alterations were extremely slight. He was quite aware that no private Member could expect to carry through such measures. In order that they might succeed Government must take them up; but the Government had not shown any disposition to take up the subject, and in the present year, considering all the circumstances of the case, he could not blame them. No Government was likely to embarrass itself with such a subject until much discussion had taken place, and public opinion had been called forth to give them a sufficient degree of support. The introduction of the Bills had already produced considerable effect. This was shown by the number of petitions, which were almost all in favour of the Bills. The opposition to the Bills had chiefly proceeded from persons connected with the present local administrative bodies, who were not likely to be wholly unprejudiced on the subject of their own mode of administration. The passing of the Reform Bill last Session had paved the way for such legislation. One marked feature of the political movement, of which the passing of the Reform Act was a part, is a demand on the part of the people, he would not say for more government, but for more administration. It is not only sanitary measures, properly so called, but control over the dwellings provided for the working classes, and a hundred similar arrangements, which are now required at the hands of Government; and the effecting of these things has been again and again prevented by the want of any sufficient local authority. When much has to be done for society, it cannot be all done by the central Government, and there was in this country great jealousy of intrusting too much to that authority. It was a national principle that a great part of our administration should be local, and the constitutional mode of giving local government to different parts of the country, especially to towns, was by means of municipalities. Now, London had only the benefit of a municipality in that which was originally the whole of its extent—the City proper. With that exception the local government of the metropolis was a parish government. What other town in the kingdom would be satisfied with a parish administration extending over the greater portion of its area? The government of London by means of vestries had endured long enough. To show the magnitude of the questions which were involved in the local administration of the metropolis, he might mention that in the year 1840 London was rated upon an annual value of £6,000,000 sterling. In 1861 the annual value of property had risen to £12,500,000, and in 1866 to nearly £14,500,000. The expenditure of the metropolis was growing, and now amounted to nearly £3,000,000 a year. The Metropolitan Board had during the twelve years of its existence raised by rates £2,182,000, and by loans £5,581,000. The vestries collectively expended £2,784,000 per annum, while to show the quantity of legislation required to deal with local questions arising within the metropolis, Lord Brougham, so long ago as 1837, stated that the Acts relating to the parish of Marylebone alone, passed since the year 1795, filled a volume of 480 pages, being much greater in size, he would not say than the *Code Napoleon*, but certainly than the *Code Civil.* Parliament had attempted, and did attempt, to provide for this local legislation; but Parliament could not possibly do it, and it only continued the attempt because there were no local authorities in whom Parliament or the country sufficiently confided to turn over to them this important business. What had occurred with reference to the Dwellings of Artizans and Labourers Bill, introduced by his hon. Friend the Member for Finsbury (Mr. M'Cullagh Torrens) was an illustration of the want of some more satisfactory authorities than at present existed in the metropolis. As originally introduced, the powers conferred by that Bill were entrusted to the vestries; but the Select Committee would not trust the vestries, and gave the powers to the Metropolitan Board of Works. The Metropolitan Board itself was, however, regarded with great distrust; and he had received many letters urging him to oppose that part of the measure which empowered that Board to levy any rates in addition to those which they were already authorized to raise. If there were municipalities in the different metropolitan boroughs, with a general central municipality, there would be authorities upon whom Parliament could confer the many powers of local administration and local regulation which at present it was necessary to provide for by separate Acts. The difference between London and other cities, arising mainly from the great size of the metropolis, was, that while for provincial cities a single corporation sufficed, in London it was necessary to have a double system. There would in London be too much for a single body to do; and any single body which was so constituted as to be able to do the work, would be so powerful that it would excite the jealousy of the other civil authorities of the country. What was proposed by the Bill which he had been requested to introduce, but of which he was not the author, although he approved of all its provisions, was, that there should be for all the Parliamentary boroughs of which the metropolis was composed, separate municipalities grouped round the City municipality, which would be the type of all; that these municipalities should discharge all such duties as did not require that the whole of London should be taken into consideration at once; and that in addition there should be a central municipality, which should deal with those questions in the decision of which the interests and wants of the whole metropolis were involved. The first of these proposals was strongly recommended by the Commission which was presided over by the late Sir George Lewis. But there was also a necessity for a general municipal government of the metropolis, and this necessity was so strongly felt that, without intending to create a municipality, Parliament had created one in the Metropolitan Board of Works. The purpose for which that Board had been called into existence—namely, the Main Drainage—was now nearly completed. But the necessity for a general government was such that, almost as soon as the Board was created, other new and important duties began to be intrusted to it. But when Parliament was creating this body, was it aware that it was establishing a municipal body for the whole of London? Did it take that large subject into consideration, and examine whether this was the best way of providing for the municipal government of a great capital? Certainly not. The Board was created for a limited and temporary purpose, and it had gradually become a central municipality, without due consideration whether it had been constituted in the way best calculated to perform the duties of such. He did not propose to supersede this body, but to leave it standing, and also to leave standing the Corporation of the City of London; but to make such changes in its constitution as would render it an adequate municipal constitution for the whole metropolis. The first Bill proposed to give municipal institutions to the different Parliamentary boroughs in London; and the second, to create a central body into which the Board of Works would be absorbed: to constitute this central body in such a way as Parliament might think best, and to define its duties and powers, marking them off from those of the municipal bodies. He would conclude with a saying of Lord Coke—that no good measure of legislation was ever proposed from which, in the end, some amount of good did not result. Though in the present Session he could not hope to carry the Bills, and though great modifications might be made in them before they were carried, still he was doing that from which, according to Lord Coke's maxim, good must eventually result. The hon. Gentleman moved for leave to introduce the first Bill.

Sir JAMES FERGUSSON, on the part of the Secretary of State, had to say that the Government would offer no opposition to the introduction of the Bills, considering that they would conduce to the ultimate satisfactory settlement of the question if marked, as he was sure they would be, by that careful consideration of the subject which all would expect at the hands of the hon. Gentleman.

Sir GEORGE BOWYER said, he had no objection to make to the creation of municipal bodies for those parts of the metropolis which are now without them —such as Westminster and Chelsea; but the great difficulty would be with the central body, and how that difficulty was to be overcome the hon. Gentleman (Mr. Stuart Mill) had not satisfactorily explained. How he was to reconcile the powers of the Corporation of the City of London with those of the Metropolitan Board of Works, or in what manner both bodies were to be amalgamated, the hon. Gentleman had omitted to say. The City of London was one of the most ancient institutions of the country, and claimed exclusive jurisdiction within its own limits; and the City was the only representative body in this great metropolis. Supposing a Princess of Wales or the Sultan were coming into London, the City, headed by the Lord Mayor, was the only body to receive them. Before the Bill proceeded further a considerably larger amount of information would be required by the House than the general philosophical principles which the hon. Member for Westminster had laid before them.

Motion *agreed to.*

Bill to provide for the establishment of Municipal Corporations within the Metropolis, *ordered* to be brought in by Mr. Mill, Mr. Thomas Hughes, Mr. Tomline, Mr. Buxton, and Mr. Layard.

### CORPORATION OF LONDON BILL.

On Motion of Mr. Mill, Bill for the creation of a Corporation of London, *ordered* to be brought in by Mr. Mill, Mr. Thomas Hughes, Mr. Tomline, Mr. Buxton, and Mr. Layard.

### STOCKBROKERS (IRELAND) BILL.

On Motion of Mr. Pim, Bill to amend the Act passed in the Session of Parliament held in Ireland in the thirty-ninth year of the reign of His Majesty King George the Third, intituled "An Act for the better Regulation of Stockbrokers," *ordered* to be brought in by Mr. Pim and Sir Benjamin Guinness.

House adjourned at a quarter before One o'clock.

* * *

## HOUSE OF COMMONS,

*Wednesday, May* 6, 1868.

MINUTES.]—Ways and Means — *Resolutions* [May 4] *reported.*

Public Bills — *Ordered* — Consolidated Fund (£1,000,000).*

*First Reading*—Stockbrokers (Ireland) * [104].

*Second Reading*—Mines Assessment [11]; Divorce and Matrimonial Causes Court [50]; Cotton Statistics [96].

*Considered as amended*—Artizans' and Labourers' Dwellings [88].

### MINES ASSESSMENT BILL—[Bill 11.]

(*Mr. Percy Wyndham, Mr. Cavendish Bentinck, Mr. Henderson.*)

SECOND READING.

Order for Second Reading read.

Mr. PERCY WYNDHAM, in moving that the Bill be now read the second time said, its object was to secure a more equitable distribution of local taxation than existed at present. The Bill before the House imposes further taxation; but until property now exempted from taxation is made to bear a fair share of the burdens of the country, the people would object to any increase of those burdens. The natural objection to taxes of every description was augmented, and the opposition to any proposed increase of local taxation was made more earnest in consequence of the inequality with which the rates were imposed. It had been objected that the Preamble of the Bill did not correctly recite the present state of the law with regard to the rating of mines, but he contended that it did, and that it was those who objected to it who were in error. At the close of the last century, by a decision of Lord Mansfield, all mines except coal mines were held to be free from local taxation; but according to a recent decision if the lord of the mine receives his royalty in any way in kind he is rateable because he is to that extent an occupier. This was a contradictory law, easily evaded, and its effect was, that property to the extent of £6,400,000 a year did not pay anything towards the rates of the country. The exemption did not extend to Ireland or Scotland, and this made the anomaly the greater. Very little would be needed to show how unjust to the ordinary ratepayer was this exemption of certain mines from liability to contribute to parish expenditure. A mine in full work in any district drew into its neighbourhood a large number of workmen, for whom dwellings defective in all sanitary arrangements were hastily built; and if, as often happened, the mine became exhausted, or fell into disuse from any other reason, a large number of those workmen and their families became more or less a burden to the parish, though their employers had contributed nothing in the days of their prosperity to the parish purse. Of 324 paupers in a Union in one of the Cornish districts in 1865 he found that only fifty-two were of the agricultural class — the rest had all been miners; and the mines had not contributed one farthing to the poor rate. Then, again, great injury was done to roads by the carting of heavy ore from the mine to the railway; yet these roads had to be repaired at the expense of the farmers and shopkeepers, while the owners of the mines were altogether exempted from liability to contribute. Without further dilating on this point he would proceed to explain the provisions of the Bill. According to an Act recently passed the mines should only be rated as grass lands. The Bill proposed that they should be assessed according to the Parochial Act of *Will.* III. The 1st clause provided that all mines should be rated at an estimate of the net annual value. In Committee he should ask leave to amend that clause, because the net annual value of a mine was never paid. It would be paid if the lessee entered into possession of the mine with its plant all fixed, the shaft sunk, and the whole mine ready for work, but that was never the case. The royalty paid by the lessee of a mine resembled the rent which would be paid by a farmer under a thirty years' lease of a piece of moorland; and the net annual value of a mine resembled the net annnal value of that piece of moorland after it had been drained and fenced, and brought under cultivation. He contended that inasmuch as a piece of re-claimed moorland was assessed at its improved annual value, a mine in full operation should be also assessed according to its worth. The 2nd clause too, which referred to the royalties obtained where mines had been abandoned and afterwards been taken up again, as well as the 3rd clause, required amendment, and he appealed to the hon. Member for Durham (Mr. Pease) to assist him in coming to some satisfactory arrangement with regard to the deductions which should be allowed in estimating the net annual value of mines. In certain cases, no doubt, the royalties did indicate the actual value of the mine; but in a mine there was certainly a diminished rateable value according to the decreasing value of the produce; and in order to ascertain the just payment it was proposed to capitalize the whole value of the mine at fifteen years, and base the assessment on that. The equitable deduction as between the annual and rateable value was, in his opinion, about one-third. He was himself in favour of the proposal to leave some points in the hands of the local Assessment Committees; but these matters could be easily settled in Committee, with respect to the exception of mines in Derbyshire, Cornwall, and Devon from the operations of the Act; the mines of Derbyshire were already rated in accordance with a local arrangement which satisfied everyone concerned, including the parish authorities and the ordinary ratepayer — an arrangement which it would be unwise to disturb. The mines of Cornwall and Devon were hazardous as speculations, and during the last two years had been by no means prosperous; it was therefore proposed by the 5th clause to relieve the occupiers of those mines from liability, to transfer it to the owners, and to assess the rate on the royalty paid by the lessee. If, however, it was deemed unjust to treat one portion of the kingdom differently from another, he would have no objection to exempt from liability all mines whose success was doubtful. The 6th clause, providing for the assessment of mines under the provisions of the Local Government Act or any Local Improvement Acts, in the same way as arable land was assessed, he proposed to make prospective only. As the principle of the Bill had been already assented to, he would not further detain the House but would formally move the second reading.

Mr. ST. AUBYN, in seconding the Motion, said, he entirely approved of, and concurred in, the principle of the Bill. Many meetings had taken place in Cornwall with reference to the Bill; and although there were small differences as to the details of the measure, yet all classes —agricultural, town, and mining — had unanimously come to the conclusion that mining property ought no longer to be exempted from contributing its fair and just proportion to the local rates.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Percy Wyndham*).

Mr. PEASE said, he did not rise to oppose the second reading of the Bill. Two years ago he admitted that mines ought to be rated; but he was exceedingly opposed to rushing headlong into legislation upon the subject; for there were many difficulties to be considered. He objected to mineral mines being rated as coal mines now were; because no fixed principles were acted on in the case of coal mines; and he contended that the amendment should be conducted in accordance with a fixed system applicable to all mines. A Return made on the Motion of the hon. Member for Whitby (Mr. Bagnall) showed how utterly opposed to reason was the practice which had grown up in respect of the rating of coal mines. The 3rd clause, relating to the deductions to be made from the gross value to find the net rent, seemed adapted to give rise to innumerable lawsuits; it would be far better if a definite rate of deduction were fixed upon for the purpose. He also objected to Clause 5 as far as it set up a different standard for different counties. No doubt the miners of Cornwall and Devon deserved every consideration the House could give under the circumstances; but it would be very unfair if they were relieved altogether from liability to pay local rates. As, however, ordinary principles of assessment were not applicable to mines, he would suggest that an increased deduction should be allowed in the case of mines commercially hazardous.

Mr. DENMAN said, he agreed with the principle of the Bill, and as it proposed to make mining property rateable, and to have the rates levied in the same way as the highway rate, he would take occasion to point out the necessity that existed for altering the present mode of assessing highway rates. If the Bill were passed it would raise more pointedly than ever the question whether the highway rates should be wholly payable out of the real property of the country. By the present law a clergyman with a small glebe had to pay a heavy highway rate, whilst his neighbour, a rich brewer, who resided within the borough, and used the highway in the prosecution of his business, had no rate to pay. He hoped Parliament would remedy the grievance in the next Session of Parliament.

Mr. KENDALL said, that many years since he endeavoured to pass a Bill for the rating of mines, but the difficulties were so great that he had to abandon it. In Cornwall all parties had agreed that it was but fair and just that mines should be rated, and that the whole expense should fall on the owners of the mines. He was at a loss to understand why such an arrangement should be a cause of complaint with other counties. He warned the hon. Gentleman (Mr. Percy Wyndham) against endeavouring to pass the 5th clause in a form objectionable to Cornish interests and contrary to the report of the Select Committee upon the rating of mines. He should assist in every way to make the Bill workable, but unless a fair and just principle was applied to the case of the Cornish people, he should oppose the third reading.

Mr. BRUCE said, he wished to point out that although the Bill had met with general approval as to its principle, it was so framed that it either left unsettled, or settled on different principles, the subject of the rating of mines. He was not satisfied that Clause 5 was founded on a just principle. The just principle seemed to be that now in force—namely, that the actual value from year to year of the property should be estimated fairly. Uniformity, above all things, was needed; if deductions from gross value were to be allowed in the case of copper and tin mines, why should they not be allowed in the assessment of coal mines? It seemed to him to be monstrous that a tin mine in full operation and making good returns should be rated on more favourable terms than a coal mine. He did not insist that it should be rated for all years on the estimate of any one year, but that a fair average should be struck for the assessor's guidance. The hon. Member who introduced the Bill had omitted from his very clear statement an important point arising out of Clause 6. The effect of that clause would be that coal mines which are now rated to their fullest extent would be assessed at only one quarter of their annual value. That seemed to him a very doubtful measure; he had always approved the principle laid down by Sir George Lewis that all exemptions for rating purposes were impolitic; and for this proposed exemption in favour of coal mines he could imagine no reason whatever. If any one wished to find a district where the roads were bad, where small ill-built houses abounded, and pauperism was chronic, and where, consequently, expenditure on sanitary grounds was required, let him go to a new colliery district. The colliery drew around it a large population of the poorest description, and it should be made liable to pay local rates as much as any other property. Trusting that these points would be considered in Committee, he had no objection to the second reading of the Bill.

LORD GEORGE CAVENDISH said, respecting the wish for uniformity of assessment, that the difficulty of dealing with the 5th clause, as far as it affected Derbyshire, could be appreciated only by those who knew what a happy state of things existed there in consequence of the agreement already referred to. The mines of Derbyshire had always been rated. The assessment was made on the royalty paid to the Duchy of Lancaster, and the rate was paid by the Duchy; so that the parish actually got more from the mines than it would get if the occupier were rated, because the poorer miners would, of necessity, have to be excused. He suggested something in the nature of a Bill for compounding mining rates; if that could be managed the Derbyshire arrangement might stand.

MR. BAGNALL said, he could not understand why woodlands and plantations should escape rating and coal mines be made the victims. The argument that woodlands and plantations were exempted in order not to check the growth of the timber for the purposes of the Royal Navy, did not apply in the present day.

MR. CANDLISH said, that by the operation of the 6th clause all mines rated after the passing of the Bill would be subjected to one-fourth of the gross amount of their valuation, while existing mines would pay the same as they paid now. It was perfectly clear that this was not equitable, and he hoped the clause would be expunged. He cautioned the hon. Member (Mr. Percy Wyndham) against all exemptions. They might lead to unequal taxation even in the same district, for it would be impossible to adopt one uniform system of making deductions from the assessment. The true principle was to rate in the full amount every mine wherever situated, not only for parochial but for municipal purposes. If any works tendered more than others to deteriorate the public health they were coal mines. Rates for sanitary purposes ought to be paid by all mines as they were paid by manufactories.

MR. CORRANCE thought the hon. Member deserved the thanks of the House for bringing the matter forward. He approved the principle of the Bill though he thought some modifications of its details would be necessary in Committee. But with reference to the whole subject of rating he complained that no principle had yet been fixed on by the Legislature as the basis for any rate at present existing. The law had come into its present state by a course of fortuitous legislation and accidental judgments, and the sooner it was thoroughly examined and re-modelled on a definite principle the better it would be for all concerned. He hoped on an early day to call the attention of the House to the subject.

MR. VIVIAN said, he agreed that it would be desirable to rate all mines on the same principle without exception. The principle of assessment in South Wales at present was most unjust. Coal mines in that district were rated on profits. In no other trade was this principle followed; and in the case of mines it was especially unjust, because the *corpus* of the mine was being continually exhausted. When coal had been won it might very properly be regarded as stock in trade; so that not only were profits rated, but the stock in trade which had been purchased by the outlay in plant and all the preliminary work of sinking the shaft was rated as well. That was extremely unjust, and on this account, if for no other, he desired to see some principle laid down. But the Bill seemed to propose the rating of other mines on no fixed principle. The 1st clause did not accord with the 2nd; and in both royalty seemed to be confounded with rent, though it was well known these two things very much differed. If the principle were to prevail at all it ought to be made applicable to all mines.

Mr. PUGH said, he had great pleasure in voting for the second reading of this Bill, as, independently of its other recommendations, it was not only founded on the Report of the Select Committee of the House of Lords—which resolved that it was expedient that all mines should be assessed, as coal mines now were, inasmuch as their exemption from rates was founded on no sound principles, but was also in accordance with a strong opinion expressed by a Court of Law of high authority—the Court of Exchequer Chamber, in the case of "Crease *v.* Sawle." They said that the statute of Elizabeth was, in truth, framed with a view to render rateable all occupiers of every description of real estate; and it might be very questionable whether occupiers of mines of any description were exempt at all. Therefore this was a beneficial Bill, as framed for the purpose of putting an end to legal doubts. It was also founded on justice; and if in Committee it should be proposed, as had been already suggested in the course of the discussion, that its principle should be extended to other kinds of property—plantations, for example—he should be very happy to give the proposition his favourable consideration.

Mr. WYLD said, he thought that the principle laid down in Clause 6 of the Bill ought to be adhered to.

Mr. W. H. LEATHAM said, he had been requested by his constituents to oppose the second reading of this Bill; but after the explanation of the hon. Member for West Cumberland (Mr. Percy Wyndham) he should not do so, but confine his objections to the 6th clause, by which all mines were to be rated, under the Local Government Act, and Local Improvement Act, at one-fourth of their value. His constituents considered this a most unjust provision of the Bill, because in the borough which he represented (Wakefield) the coal measures extended under the town, and there was a great traffic of coal carts through the streets, thereby damaging the pavement and sometimes even crushing in the gas-pipes; and to rate the coalpits at only one-fourth of their value was to make them contribute a less share towards the repair of the streets than was reasonable. He hoped the hon. Member for West Cumberland would alter the clause, or he must give it his most strenuous opposition in Committee.

Mr. W. B. BEAUMONT said, that when persons sought for privileges and exemptions they were bound to make out a strong case. He should not resist the proposal to rate the lessors instead of the lessees; but he was at a loss to know why the great mines of Devonshire should be rated upon a different principle to the coal mines of Northumberland; and, in behalf of his constituents in the North, he should in Committee offer his most uncompromising opposition to any clause proposing exemptions in favour of any particular districts.

Mr. PERCY WYNDHAM thanked the House for the manner in which the Bill had been received. Nothing would give him greater satisfaction than that the Government should take charge of the Bill. If it remained in his hands, he should attend to the suggestions of his right hon. Friend the Member for Merthyr Tydfil (Mr. Bruce) and his hon. Friend the Member for Glamorganshire (Mr. Vivian). He would take care that the Preamble should be made to apply equally to all mines whether of salt, metal, or coal.

The SOLICITOR GENERAL said, he should support the Bill, the principle of it being to bring mines which had not hitherto been within the purview of rating within such scope. On the general question of rating there could be no greater public benefactor than the person who would invent such a definition of the mode of rating as might be easily applied, not only to coal mines, but to other descriptions of property. The difficulty of carrying out the existing rules was so great that they could scarcely be acted upon by any two lawyers in the same manner. He thought the hon. Gentleman who introduced the Bill had done well to confine himself to a practical object; and he would endeavour to assist him in any way he could to make the present Bill a satisfactory measure.

Motion *agreed to.*

Bill read a second time, and *committed* for *Wednesday,* 20th May.

## DIVORCE AND MATRIMONIAL CAUSES COURT BILL—[Bill 50.]

(*Mr. Charles Forster, Mr. Headlam, Mr. Kinglake*)

### SECOND READING.

Order for Second Reading read.

Mr. C. FORSTER, in moving that this Bill be now read the second time, said, that its object was to get rid of the delay which now occurred in the despatch of business in causes of divorce. In any case delay in legal proceedings was a source of annoyance and expense, but in no branch of the law could the evil thus caused be more seen than in suits for the dissolution of marriage. It was desirable to make the proceedings, when once commenced, as expeditious as possible. At present, even in undefended cases, suitors are unable to obtain a decree dissolving the marriage under two years. The delay need not exist if the House would agree to the three propositions contained in the Bill. The first proposition was to shorten the time allowed for appealing against the decisions or rules *nisi* in all cases of divorce. He wished to make the practice of the Divorce side of the Court at Westminster the same as that on the Probate side of the same Court—namely, that notice of appeal in any case should be entered within one month after the hearing and decision of the cause. At present appeals against decrees in the Divorce Court could not be lodged during the Parliamentary Recess. The Bill would abolish that prohibition. The second proposition was to take away the right of appeal in undefended cases; for he could not think that any person, either man or woman, who had a good defence, would hold it back till the appeal and submit to have a decree pronounced by default. The third proposition was to make the right of appeal to follow directly upon the decree *nisi*, instead of parties having to wait till the decree was made absolute. He understood that this last provision was the one which was likely to meet with most opposition. It would, perhaps, be urged that such a permission would be an anomaly in the practice of Courts. But it must be remembered that for some time after the institution of the Divorce Court there was only one decree which was final; and that the decree *nisi* had been introduced, only to give the Queen's Proctor an opportunity of intervening if collusion was suspected. As between the parties the decree *nisi* was final if a third party did not intervene. He believed the only effect of the present system of delay was to enable parties to extort money by a threat of appealing, which it was never intended to carry out. The great object of his Bill was to put an end to delays which could serve no good purpose.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. C. Forster.*)

The SOLICITOR GENERAL said, that on the part of the Government he would not object to the second reading of the Bill, because he believed that his hon. Friend had hit upon one defect in the present state of the law, and that his Bill provided a remedy for it. He meant that part of the present law which provided that no appeal should be lodged in the House of Lords while that House was not sitting. He regretted that he could not go further in his support of the Bill. When the other matters came under the consideration of the Committee he must hold himself free to object to the clauses. An appeal on a decree or rule *nisi* did not exist in any other Court, and he could not see why it should be allowed in the Divorce Court.

Mr. HEADLAM was sorry that the Government had limited their support to such a narrow portion of the Bill. He had read the Bill and he could not see what objection there could be to its provisions, the whole of which had no other object than to stop unnecessary delay.

Mr. M. CHAMBERS said, he approved that portion of the Bill which required the appeal to be lodged after the pronouncing of the decree *nisi*. According to the present state of the law, the decree *nisi* was really an absolute decree to take effect on a certain day, unless the Queen's Advocate or some other party should intervene before that time.

Motion *agreed to*.

Bill read a second time, and *committed* for *To-morrow*.

## COTTON STATISTICS BILL—[Bill 96.]

(*Mr. Bazley, Mr. Milner Gibson, Mr. Horsfall, Mr. Watkin, Mr. Cheetham.*)

### SECOND READING.

Order for Second Reading read.

Mr. BAZLEY, in moving that the Bill be now read the second time, said, its object was to provide accurate statistics of the cotton trade, by taking steps to procure correct information of all the cotton which was landed at the various ports of this country, and by obtaining from all carriers returns of their removals of cotton from one place to another, and periodical returns from all warehousemen of the expected supply and quantities of stock in hand. He believed this measure, if it were adopted, would prevent undue speculation in this important staple of manufacture and commerce, and that it would lead to a more equitable and regular employment of capital and labour, and be equally beneficial to merchants, manufacturers, operatives, and consumers.

Motion *agreed to.*

Bill read a second time, and *committed* for Wednesday next.

## ARTIZANS' AND LABOURERS' DWELLINGS BILL—[Bill 88.]

(*Mr. M'Cullagh Torrens, Mr. Kinnaird, Mr. Locke.*)

CONSIDERATION. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [29th April], "That the Clause (Act not to apply to cases in which freeholder has successfully instituted proceedings and carries out necessary repairs,)—(*Sir Francis Goldsmid,*)—which was offered to be added on Consideration of the Bill, as amended, be now read a second time."

Question again proposed.

Debate *resumed.*

Mr. AYRTON said his hon. Friend the Member for Reading (Sir Francis Goldsmid) who was now absent from the House, had no desire to press the clause.

Motion and Clause, by leave, *withdrawn.*

Clause (Act not to apply to cases in which defects are caused by local authority,)—(*Sir Francis Goldsmid,*)—*brought up,* and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

Motion and Clause, by leave, *withdrawn.*

Amendment proposed, in page 7, line 21, to leave out the word "surveyors," in order to insert the word "surveyor,"—(*Mr. Candlish,*)—instead thereof.

Question, "That the word 'surveyors' stand part of the Bill," put, and *agreed to.*

Mr. M'CULLAGH TORRENS said, he had some new clauses on the Paper,

intended to give greater security to owners of property. The effect of them was that all intermediary, as well as the primary owners of property should receive notice of any operations intended under this Bill. He reminded the House that on the last day the Bill was discussed the Attorney General suggested that it required some additional provisions in the direction suggested by the hon. Member for Reading. He (Mr. Torrens) had received a communication from the Attorney General, and he was authorized by him to state to the House that the Amendments which stood in his (Mr. Torrens's) name on the Notice Paper were prepared under the direction of the Attorney General by the Government draftsman, and submitted to him for final approval; and the Attorney General had requested him to move them on the Report. He hoped his hon. Friend the Member for Reading would agree with him in thinking that the changes which he now proposed to introduce, by the authority of the Attorney General, were sufficient substantially to accomplish his object. Taking into consideration the period of the Session, and the mass of business before the House, he hoped he would be allowed to take the Report without any material changes except those to which he had alluded.

Mr. M'CULLAGH TORRENS moved, in Clause 3, line 12, to leave out from the word "lessee" to "premises," and insert—

> "The expression 'owner,' in addition to the definition given by the Land Clauses Act, hereafter incorporated with this Act, in reference to any premises, shall include all the owners, if more than one, of any premises or estate, or interest in any premises required to be dealt with under this Act."

Motion *agreed to.*

Mr. GOLDNEY moved to insert at the end of Clause 4—

> "And for the purposes of this Act the term 'the promoters of the said undertaking' used in those Acts shall mean the local authority as defined by the Act."

Motion *agreed to.*

Schedule A.

Mr. AYRTON moved to leave out from "The city of London and the Liberties thereof" to the end of line 10. The matter had been discussed on a previous occasion, and as the attendance in the House was now so small he should not press his Motion, though he wished to have it put from the Chair, in order that his dissent from the proposed mode of legislation might be distinctly recorded.

Amendment proposed, in First Schedule, Table A, to leave out from the words "The City of London and the Liberties thereof" to the end of line 10.—(*Mr. Ayrton.*)

Mr. Alderman LAWRENCE said, that originally the City of London was a walled city, and consequently contained a greater number of lanes and alleys than any other part of the metropolis, and there could be no injustice in allowing the City to put the Bill in force themselves.

Mr. CRAWFORD said, it was a mistake for the hon. Member for the Tower Hamlets to say that the City of London would save anything by not being subject to the rate which would be levied by the Board of Works.

Mr. HARVEY LEWIS thought it was hardly just that the whole of the metropolis should be taxed throughout, with the exception of the City of London, for improvements effected under the Bill.

Mr. M'CULLAGH TORRENS said, the Amendment had not originated with him, but with the Select Committee. In no part of the metropolis did he get so much support for his Bill as in the City of London.

Mr. LOCKE said, it was the City of London that really created the working classes of the metropolis, as it was the great employer of labour. The City supplied poor to the whole metropolis, and it should not therefore seek to be exempted from the general rate.

Mr. AYRTON said, he would confine his Amendment to the question of authority, leaving untouched the question of taxation.

Mr. LOCKE said, it was simply a question whether the Board of Works or the Corporation should carry out the Act. It was not a question of taxation; but a fanciful one, of pride, on the part of the City, which did not like to be interfered with.

Mr. GOSCHEN said, that the effect of the Amendment evidently was to increase the taxation of the City of London.

Mr. CANDLISH took the same view as the right hon. Gentleman.

Mr. SPEAKER said, it seemed to him that the Amendment would have this effect—that improvements undertaken beyond the limits of the City of London would, after the alteration proposed, affect the taxation on the City of London. In that case it would effect an alteration of taxation which should have originated in a Committee of the Whole House, and could not be proposed on consideration of the Report.

Mr. AYRTON disclaimed any intention of interfering with the taxation of the metropolis. His object was to declare that the Metropolitan Board of Works should have the authority for carrying out the Bill throughout the whole Metropolis. It was his intention to move that the Bill be re-committed.

And it appearing, on further discussion, that the proposed Amendment would vary the incidence of taxation, Mr. Speaker declined to put the Question.

Amendment proposed, in First Schedule, Table A, to leave out from the words "The Metropolis," in line 13, to the end of line 21, inclusive, in order to insert the words—

| | | | |
|---|---|---|---|
| The Metropolis | The Vestries and Local Boards respectively | The general vote leviable under "The Metropolis Management Act, "1855" | The Clerk |

—(*Mr. Labouchere,*)

—instead thereof.

But it appearing that the proposed Amendment would vary the incidence of taxation, Mr. Speaker declined to put the Question."

Bill to be read the third time upon *Friday.*

House adjourned at a quarter before Four o'clock.

# HOUSE OF LORDS,

*Thursday, May 7, 1868.*

MINUTES.]—*Sat First in Parliament*—The Marquess of Salisbury, after the Death of his Father.

Public Bills—*Second Reading*—Capital Punishment within Prisons (83); Industrial Schools (Ireland) * (69).

*Third Reading*—Medical Practitioners (Colonies)* (78), and *passed.*

## CAPITAL PUNISHMENTS WITHIN PRISONS BILL—(No. 83.)

(*The Duke of Richmond*)

### SECOND READING.

Order of the Day for the Second Reading read.

THE DUKE OF RICHMOND, in moving that the Bill be now read the second time, said, it had already passed through the House of Commons; and its object was to provide that in future all executions of criminals shall take place within the walls of prisons. The subject had been thoroughly considered by a Royal Commission who had recommended that a Bill to this effect should be introduced. A Committee, of which a right rev. Prelate who presides over the diocese of Oxford was Chairman, had come to a similar conclusion. It was believed that, instead of public executions doing good or operating as a deterrent among criminals, the revolting scenes which, on many occasions, took place before the gallows, especially in the metropolis, did considerable harm, and ought to be prevented. The Bill provided that in future all executions of criminals should take place within the walls of the prisons, in the presence of the sheriff and others who were named, that the prison surgeon should certify the death of the criminal, and that a coroner's inquest should be held upon the body.

LORD CRANWORTH expressed his approval of the principle of the Bill, which he hoped would put a stop to the Saturnalia which occurred on the occasion of every execution in the metropolis.

LORD HOUGHTON also expressed his satisfaction at such a measure being likely to become law, he having had the honour on several occasions of bringing the subject of public executions, with their evil consequences, before the House of Commons.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

## RAILWAYS—ACCIDENT UPON THE BRECON AND NEATH RAILWAY.

### QUESTION.

THE MARQUESS OF CLANRICARDE asked the noble Duke the President of the Board of Trade, Whether any Report was made to the Board of Trade of the fatal Occurrence on the Brecon and Neath Railway, on Friday, the 24th of April last, in which Case the Jury at the Inquest returned a Verdict of "Wilful Murder?" It appeared that, on the occasion of the accident, a passenger train—which, fortunately, carried no passengers, although a mail train—ran into a siding in consequence of the points having been displaced, and the result was that the engine-driver was killed. It appeared that the points were usually kept in position by means of a pin, which had, to the knowledge of the servants of the Company, been missing for twenty-four hours prior to the accident. The coroner's jury returned a verdict of "Wilful murder against some person unknown." No notice of the matter had been taken by the Board of Trade which had, in matters of this kind, no proper control over railway companies. The case was one in which companies were not bound to make any reference whatever to the Board of Trade. Had the person killed been a passenger, the Company would have been bound to report the facts to the Board of Trade, and they would have sent down an Inspector to make a special inquiry into the facts. But even in that case the Board of Trade would have been powerless; for they could not enforce the recommendations of their Inspector. When this siding was opened, but before it was used, an Inspector was sent down to examine it, and he particularly recommended, indeed ordered, that an instrument called an "indicator" should be placed there. The indicator was accordingly placed there by the Company at an expense of £10 or £12; but it was never used—in fact, he was told the instrument was very rarely used by railway companies except within crowded stations. After all, what a farce it was that the Board of Trade should have power to make Orders which they had not the power to enforce—or rather that their Order having been made and an indicator placed, the Board should have no power to compel the use of the instrument. Such a case as the present was not of very common occurrence, but there were incidents of an analogous kind which happened every day all over the country. The Board of Trade, having no power, escaped responsibility; but it was the duty of Parliament, he thought, to take care that the safety of passengers was properly attended to, and impose that responsibility. The late Duke of Wellington expressed his opinion very strongly that the Government should have more power over railway companies; but the railway interest was too strong for them in the House of Commons. He hoped the noble Duke (the Duke of Richmond) would see that sufficient powers were obtained in his Bill for the regulation of railways. He had himself given notice of a clause, but it was not sufficiently stringent. He wished to ask the noble Duke, Whether the Board of Trade had received any accounts on the subject to which he had called his attention; and, whether he would lay them on the Table?

The Duke of RICHMOND said, he was not aware that it had been the intention of the noble Marquess to enter so much at length into the law which at present prevails with regard to accidents on railways: nor did he anticipate that he would refer to the opinions of the Duke of Wellington on the subject of railway management. Had he known such to be the intention of the noble Marquess, he should have been prepared with a more satisfactory answer. The noble Marquess was incorrect in thinking that no notice of this accident was taken by the Board of Trade. On hearing of the accident, the Board of Trade communicated with the Railway Company, requiring them to transmit to the Board every particular connected with the accident. That Report reached the Board this afternoon, and to-morrow an Inspector would proceed to inquire into the facts and causes of the accident.

The Marquess of CLANRICARDE said, that as the noble Duke had used the phrase "on hearing of the accident" it seemed clear that no Report was made by the Company to the Board of Trade, in the first instance. The Board heard of it only casually and through the usual channels of information, not on special information from the Company.

House adjourned at a Quarter before
Six o'Clock; till To-morrow,
Half past Ten o'Clock.

# HOUSE OF COMMONS,

*Thursday, May 7, 1868.*

MINUTES.]—Supply—*considered in Committee*—Exchequer Bonds (£600,000).

Public Bills—*First Reading*—Municipal Corporations (Metropolis) * [105]; Partition * [107].

*Second Reading*—Representation of the People (Ireland) [71]; Vagrant Act Amendment * [102].

*Committee*—Documentary Evidence * [97].

*Report*—Documentary Evidence * [97].

## SCOTLAND—TRAWLING FOR HERRINGS.

### QUESTION.

Mr. LAMONT said, he wished to ask the Lord Advocate, Whether he intends to bring in a Bill to repeal or to modify the Act of last Session which legalized Trawling for Herrings in the West of Scotland?

The LORD ADVOCATE said, in reply, that the Herring Fishery (Scotland) Act 1867, was passed in accordance with recommendations of the Royal Commissions of 1863 and 1866. The official information which had reached him as to the working of the Act was favourable, both as regarded the quantity of fish taken and as to the cessation of those acts of violence which had frequently resulted from the enforcement of the prohibitions against trawling. He had therefore no intention of introducing a measure to repeal the Act of last Session.

## QUEENSLAND—POLYNESIAN LABOURERS.—QUESTION.

Mr. P. A. TAYLOR said, he wished to ask the Under Secretary of State for the Colonies, Whether the Government has received from Queensland a Bill passed by the Legislature there to legalize the introduction of Polynesian Labourers; and, if so, whether he will state what course the Government propose to recommend Her Majesty to adopt in respect to such Bill?

Mr. ADDERLEY said, in reply, that although the Bill had passed both Houses of the Legislature in Queensland, the Governor did not state that he had as yet given his assent to it. No doubt, however, he had done so. He mentioned that the Bill included all the provisions which had been suggested both for regulating the immigration of such labourers and for guarding against abuse. The Papers which had already been moved for were being prepared, and, if the Bill arrived in time, it would be laid with them upon the table.

## METROPOLIS—PARK LANE.—QUESTION.

Mr. LOCKE said, he wished to ask the First Commissioner of Works, By whose authority a Pavement is being laid down on the West Side of Park Lane, thereby reducing the portion of ground taken from the Park for the purpose of the roadway from eighteen feet to less than twelve feet?

Lord JOHN MANNERS, in reply, said the operations to which the hon. Gentleman referred were being executed by the Metropolitan Board of Works in accordance with an agreement entered into between them and the vestry of St. George's, Hanover Square and Marylebone, and in pursuance of a licence granted by the Crown for that purpose.

### ARMY—FEVER AT THE MAURITIUS. QUESTION.

COLONEL NORTH said, he would beg to ask the Secretary of State for War, Whether it is true, as stated in *The Times* of the 2nd of April, with regard to the military stationed at the Mauritius, that there was now an ample supply of quinine and other drugs, which there had not been at first, and which are most useful in meeting the attacks of Fever now prevalent in that Island?

SIR JOHN PAKINGTON replied, that he was happy to say that there was not, and had not been, any deficiency of medical supplies such as that represented. The statement must have been founded upon a misapprehension.

### ARMY—PROMOTION IN THE COLDSTREAM GUARDS.—QUESTION.

SIR PATRICK O'BRIEN said, he would beg to ask the Secretary of State for War, Whether, reverting to a Question on Thursday, the 30th ultimo, relative to the late promotions in the Coldstream Guards, he was aware of the fact that in 1855 Captain Dormer, being the only Ensign and Lieutenant of the Grenadier Guards then possessing two years' Army service, was promoted over fifteen Officers who stood before him on the Regimental List, but who had not the requisite service, the Ensign at the top of the list only requiring sixteen days to complete his service for the step; and whether, having regard to Clause 44 of the Royal Warrant of the 3rd day of February, 1866, and to the precedent of Captain Dormer's case, the Secretary of State for War will state why a similar course has not been adopted in the Coldstream regiment to that acted upon in the Grenadiers on the occasion alluded to?

SIR JOHN PAKINGTON: In answer, Sir, to the Question of the hon. Baronet, I beg to say that, at the time I answered his former Question on this subject, I was quite aware of the fact that in 1855 Captain Dormer, being the only Ensign and Lieutenant in the Grenadier Guards then possessing two years service, was promoted over fifteen officers. I did not say, in answering that Question, that the recent case in the Coldstream Guards was wholly without precedent. I stated that the cases were very rare indeed in which the Ensigns of any regiment were not properly qualified by service. But not only was I aware of the precedent of Captain Dormer; but that precedent was taken into careful consideration before the decision was arrived at in the recent case. The hon. Baronet asks, in the second part of his Question, Whether the course lately adopted was taken, having regard to Clause 44 of the Royal Warrant of the 3rd of February, 1866. I hold in my hand a copy of the Clause, and it states that—

> "The vacancy shall be filled by the promotion of the senior qualified officer, unless it shall appear expedient to Our Secretary of State for War and to Our Commander in Chief that the vacancy should be otherwise filled."

It was after carefully considering the whole of the circumstances that it was decided that the precedent of Captain Dormer was one that it was not desirable to follow, and that it was most undesirable in the interest of the Army that the course of promotion should be disturbed unnecessarily, and that officers should be promoted over the heads of their brother officers if such a course could be, with justice, avoided.

SIR PATRICK O'BRIEN: I beg to give Notice that on going into Committee of Supply I shall call attention to the circumstances connected with promotion in the Coldstream Guards.

### THE ESTABLISHED CHURCH OF SCOTLAND.—QUESTION.

SIR ROBERT PEEL said, he wished to ask the Lord Advocate, What are the duties and emoluments of Her Majesty's High Commissioner to the General Assembly of the Church of Scotland, and out of what fund the Commissioner is paid; what is the total amount of salaries paid to the several officers in the department of the Lord High Commissioner, and out of what fund such salaries are paid; and, whether the Established Church of Scotland is in a minority in that part of the United Kingdom?

THE LORD ADVOCATE: The right hon. Baronet has asked me what are the duties and emoluments of the Lord High Commissioner to the General Assembly of the Church of Scotland. In answer to the first part of the Question, I may say that the Lord High Commissioner represents Her Majesty in the General Assembly of the Church of Scotland. During the sitting of the Assembly in the Scottish capital, the Lord High Commissioner holds levées, and discharges other duties, as the representative of Royalty, in which members of other Churches, as well as those of the Established Church, take part, out of respect for the Commissioner as the representative of Her Majesty. The allowance made to the Commissioner to defray the expenditure of that office is £2,000, which was formerly defrayed out of the hereditary revenues of the Crown in Scotland; but in consequence of the surrender of those revenues, the sum is charged upon the Consolidated Fund. I am not aware of any other salaries paid to other officers in the department of the Commissioner; and I believe that the sum I have mentioned is necessary in order to defray the expenditure connected with the office. In the Census of 1861 in Scotland no account is taken of the religious opinions of the people of Scotland. It is, therefore, difficult to give a precise answer to the last part of the Question of the right hon. Baronet. I may state, however, that estimates have been made tending to show that members of the Established Church of Scotland constitute about one-half of the population. But I am quite aware it is possible other parties may hold the opinion that the Established Church is in a minority, as compared with the aggregate of the several other religious communions in Scotland.

## REPRESENTATION OF THE PEOPLE (SCOTLAND) BILL.—QUESTION.

**Mr. MONCREIFF** said, he would beg to ask the right hon. Gentleman at the head of the Government, When it is his intention to proceed with the Scotch Reform Bill?

**Mr. DISRAELI**: I certainly hope to proceed with the Scotch Reform Bill on Monday.

**Mr. BOUVERIE** said, he wished to call the attention of the right hon. Gentleman to the fact that the Order for going into Committee on the Navy Estimates stood first on the Paper on Monday, and he wished to know, whether the Scotch Reform Bill was to take precedence?

**Mr. DISRAELI**: It is necessary that the Navy Estimates should be the first Order on Monday; but the Scotch Reform Bill will be taken immediately afterwards.

## ESTABLISHED CHURCH (IRELAND)—THE MEETING AT ST. JAMES'S HALL.

### QUESTION.

**Mr. VERNER**: Sir, I have to apologise to the right hon. Gentleman the Member for South Lancashire for asking him a Question, of which I have not had an opportunity of giving him Notice; but I should like to know, Whether his attention has been directed to the report of the speeches made by certain right rev. Prelates appointed by the Government of which the right hon. Gentleman was a distinguished Member, which speeches were made yesterday at St. James's Hall; and, if so, whether, after the opinions they have expressed, he intends to press on his measures for the destruction of the Irish branch of the United Church of England and Ireland?

**Mr. GLADSTONE** made no reply.

## ESTABLISHED CHURCH (IRELAND).

### COMMITTEE.

*Considered* in Committee.

(In the Committee.)

**Mr. GLADSTONE**, in rising to move the second Resolution, said: Sir, now that I am on my legs, let me say one word in answer to the Question of the hon. Gentleman opposite (Mr. Verner). ["No. no!"] I did not wish to answer that Question at the moment, because I own I thought it was beyond the line of Parliamentary practice; but, at the same time, I think the substance of the Question of the hon. Gentleman was such that, if he choose to put it to me in Committee, it would be a perfectly proper one from his point of view; and therefore, as I do not wish to be guilty of any discourtesy, I will answer it. In a free country like this, when the minds of men are deeply stirred and actively at work on a question such as the one now before us, I am not surprised that some men of eminence and excellence should not agree in, but, on the contrary, should disapprove the course which, impelled by a sense of public duty, I feel called upon to take; but I cannot on that account be discouraged when I see that the majority of this House, in the course they have adopted with respect to the Irish Church, are supported by the warm and very general judgment of the country. I intend to say not one word in regard of the general discussion. I only rise now because, though the Resolution which I am about to propose—the second Resolution—is a perfectly practical one in itself, it depends no doubt on the first Resolution, and therefore it is right that I should state the political and practical reasons which induce me to think the Committee will have no difficulty in accepting it. With respect to the political reasons I will be brief. In the beginning of these discussions my right hon. Friend the Secretary of State for India (Sir Stafford Northcote) said he objected—and I thought at the time with great reason—to any attempt on our part to close up this subject in the form of an abstract Resolution. Undoubtedly my right hon. Friend cannot estimate too highly the objection to dealing with important questions by abstract Resolutions alone. Nobody can feel greater objection than I do to dealing with a matter of this great importance in such a way. I never have been a party to such a proceeding, and I hope I never shall be. I say this on high grounds of public policy; and the grounds in this case are special as well as general. We cannot but recollect that, without any justice, as I think, but with some show of plausibility, the charge was made against us that we have not dealt sincerely with this matter, but have been using it merely for party purposes of our own. I do not in a matter of this kind wish to enter into the game of bandying assertions and negations. No one is convinced by those assertions or negations, and for the most part they are of a futile character, so far as such matters are concerned; but I think we ought to give the best proof in our power that we are dealing with this subject as men ready to be responsible for what they do. The only proof we can afford of that readiness is to give effect to our intentions, so far as the time requires and demands, in the shape of a practical measure. I fully admit also that the lengthened period during which this question, as a party question or a great political question, has slumbered since it was brought before us in 1838, enhances that consideration. I hope that in what I have said I have given no offence to anyone ; and I now proceed to submit reasons of a practical character for passing such a Resolution as that which I am about to propose. If I said that the object of the Resolution was to save a large sum of money I should be saying what was perfectly true, but what would be very far from the whole truth. Take, for instance, the lapse of a bishopric of £3,000, £4,000, or £5,000 a year, or it might be of a considerably larger amount. Now, if the House should adopt no measure to put into a practical shape the abstract Resolution on the subject of the Irish Church, it would not only be within the province, but I will go further and say it would be the duty, of the Executive to make an appointment to any bishopric which might become vacant, just as if no such Resolution had been adopted. That being so, even as a question of money, the question is whether, in the view of the probability of such vacancy, life-interests of the value of perhaps £30,000, £40,000, or £50,000 are to be taken out of the discretion of Parliament, and brought within the category of vested interests, which completely secures them from being handled by our legislation. It is not only this, but many appointments must take place in Ireland, not only of an episcopal but of a parochial character ; and I wish to bring this clearly to the mind of the Committee, for I must confess that I am not unconscious of how ineffectual the operation of the Church Temporalities Act of 1835 has been to prevent the recurrence of cases of scandal. In that Act there was a provision made that where Divine service was not performed a certain number of times in the year there should be a suspension of parochial appointments; and it was thought that that would prevent the recurrence of things which I, and indeed a great many of those Gentlemen who sit opposite to me, will admit to be scandals. I will state a few cases to show the great preponderance of Roman Catholics in some parishes in proportion to the members of the Church of England, and the amount of the benefices. In the parish of Tullagh, diocese of Emly, the number of Anglicans is 44 ; that of Roman Catholics, 3,723 ; and the gross annual value of the living £573. In Kilmichael, diocese of Cork, the number of Anglicans is 34 ; that of Roman Catholics, 4,485 ; and the gross value of the living £746. In Derrymacross, diocese of Cloyne, the number of Anglicans is 14 ; that of Roman Catholics, 1,991 ; and the gross annual value of the living £565. In Shandrum the number of Anglicans is 23 ; that of Roman Catholics, 2,973 ; and the gross annual value of the living £615. Though, as a matter of course, I must wish the incumbent of that parish a long, happy, and prosperous life, yet, as the rev. gentleman has been in his present position for the last forty years, it is only natural to expect that something must occur there before a very distant date. In the parish of Kilkerry, in the diocese of Tuam, there are 36 Anglicans; 9,300 Roman Catholics; and the gross annual value of the living is £524. In Orradown the number of Anglicans is 46; that of Roman Catholics 5,745; and the gross annual value of the living £477. I think, therefore, it will be felt by all those who contemplate extensive modifications in the temporalities of the Irish Church that these are motives of very considerable force for arresting during a reasonable time—and certainly I only ask it for a reasonably short period—appointments that could not be made without continuing evils which many Gentlemen opposite admit, and appointments that, in some instances at least, all of them must feel would be injuries and scandals to the cause of religion. I need not enter into the question in what manner cases of this kind have arisen. Some of them may be owing to the dissolution of unions in instances where the authorities could not interfere. Other cases might be added; but those which I have cited to the Committee are strong ones, as showing that, in view either of the partial changes contemplated by one portion of the House, or the sweeping changes contemplated by the majority of the House, there are many places in which no new appointment should be made pending the ultimate decision of Parliament on the position of the Irish Church. Another argument I would make use of is also one which addresses itself to both sides of the House. It is quite evident that, if the plan which we have recommended in principle should be adopted, considerable difficulty will attend the transition period. While prelates and incumbents will be in possession of their benefices under the old order of things, a system of voluntary offerings will be growing up around them. Therefore, two systems may be in operation at the same time. Possibly that may be avoided; possibly it may not be avoided; but I have already indicated enough to show to hon. Gentlemen that, with the views we entertain, it is not unreasonable to say, even if there is to be this transition period, yet in the passing of a law containing a provision for stopping the growth of new vested interests, no difficulty can arise; but, on the other hand, it must prevent the unnecessary prolongation of that transition state. Perhaps my next argument is one to which I have no right to expect the assent of hon. Gentlemen opposite, though it will weigh considerably with those who desire a settlement of this question in one general sense, and it is this—Were we to stop with an abstract Resolution, we might, probably next year, be in the predicament of having to re-commence the necessarily lengthened and laborious process in which we have been this year engaged. There would be a great loss of public time and an undoubted inconvenience in the shape of the interruption of the course of Public Business—a circumstance which I do not for a moment hesitate to to conceal, although I freely admit I think that, at all times, secondary public objects must be sacrificed to those which are of primary importance. I do not, however, deny the inconvenience, and I say that the rational course for us, having advanced to the point we have now reached, is, as far as we can, to make good and fortify our ground, and especially in this point of view—that when it shall once have been the pleasure of Parliament to adopt, in the shape of a legislative Act, provisions which shall put a stop to new appointments in the Irish Church, from that moment forward, there will, I think, be a very general, or, at all events, a very extended, opinion among our opponents, as well as among those who support us, that it will be for the interest of all parties to accelerate the final settlement of the measure. I have no doubt that by giving this practical shape to the design and proceedings on which we have entered we shall practically bring our side of the House, and even many among those who may have differed from us originally, to the conclusion that, after the decisive proceedings of Parliament, their best course will be to give their aim to procuring the best and most satisfactory settlement of the question upon such a basis as may be open. These are the arguments which I have thought it necessary to lay before the Committee in respect to the reasons for this Resolution; but I will also take the liberty—and I am quite sure I am now speaking for my right hon. Friends, and, indeed, for this side of the House generally, as well as for myself—of asking hon. Gentlemen opposite to believe that, in making this proposal, we do so with a firm conviction that it will not entail any serious practical inconvenience in regard to the government, the discipline, or the spiritual offices of the Irish Church as a religious community. This, however, I am bound to show, and I will do so in the course of two or three minutes. First of all, I admit there is a presumption of inconvenience from suspending appointments. Perhaps I had better state, in the first instance, that there is no true ground, and that it would not be fair to ask the Committee for anything like an indefinitely prolonged suspension. What I propose to ask, when the proper time comes, is that the suspension should last only until the 1st of August in the year 1869—that is, practically, for one year, with the small margin necesssary to allow for the contingencies of Parliamentary discussion a little later or a little sooner. My point is that no inconvenience of a serious or severe character will arise from this suspension during the period that I name. The suspension extends to episcopal appointments, to capitular appointments — which in Ireland are commonly called "sinecures," though I do not use the term, because it is capable of an invidious interpretation—and lastly to all such parochial appointments as are not in private patronage. It may be asked why I leave out the cases of private patronage and incur a great inconvenience by the creation of new vested interests as far as benefices in private patronage are concerned. My answer is this—The benefices in private patronage are comparatively few in Ireland, though they are very numerous in England. In a long list which I have here of the most remarkable cases with respect to the anomalies to which I lately referred, the name of a private patron occurs in a long column but thrice, Crown occurs as patron six or seven times in the same column, and all the rest of the livings are in the hands of the Bishops. The bulk—at any rate, the large proportion—of the appointments, are in the hands of the Bishops. Now, were I to attempt to deal by means of a Suspensory Bill with benefices in private patronage in Ireland, I should immediately come across the question of injury to proprietary rights ; and it is quite plain, I think, on sound principles of general policy, that we ought not to touch those proprietary rights at all until we are prepared with definite and final provisions to convert them into money and dispose of them for fair compensation. It is evident that could not be done by a Suspensory Bill, and upon that clear and broad ground we shall ask the House to make no provision with regard to benefices in private patronage. But the bulk of the benefices in Ireland are in public patronage, and most of them in episcopal patronage. Let me consider these cases. As respects the appointments to bishoprics in Ireland, I am very far from saying there are not many important duties performed, and beneficially performed, by the Irish Bishops ; but I think it is admitted that even the present number of Irish Bishops is larger than is necessary for the adequate performance of those duties — admitted, I mean, by those who are favourable to the principle of Establishment in Ireland, such as the Bishop of Down and Connor, who is a very competent judge. [An hon. MEMBER : Oh, oh !] Well, I will leave the hon. Gentleman to settle that point with the Bishop of Down and Connor, who, if I am rightly informed, will be perfectly capable to hold his own in a controversy with the hon. Member. *Primâ facie*, however, I may say that if I find an Irish Bishop stating that for the present two Archbishops and ten Bishops one Archbishop and five Bishops might well be substituted, I need not be more squeamish than the Bishop of Down and Connor, although I have no desire to go on limiting or prescribing the number of Archbishops, Bishops, or other dignitaries whom our fellow-Churchmen in Ireland may like to have, if they choose to pay for them. I think, therefore, I may fairly say that no practical inconvenience is likely to arise if such lapses of bishoprics as may occur within fourteen or fifteen months from the present time are left to be dealt with by the general provisions of the ecclesiastical law. Having made inquiries on the subject, I apprehend I am not wrong when I say that, both as to the temporalities and the spiritual offices of the bishoprics, the present law is completely sufficient for that purpose. All that is requisite with regard to the temporalities will be the introduction into the Suspensory Act now proposed of a provision contained in the Church Temporalities Act of 1833. As regards the spiritualities, provision is actually made by the existing ecclesiastical law, and it therefore would not be necessary for Parliament to make any new enactment. As to capitular appointments I will not enter into a discussion, for I think no objection of a practical character is likely to be raised repecting them. In regard to parochial appointments the case is thus far different. There must be in Ireland, and I have no doubt there are, a large number of parish clergymen who have their hands full of legitimate parochial duties. Now, what I wish to point out is that there are also in the Church Temporalities Act provisions which, either as they stand or with slight modifications, will enable us to make perfectly satisfactory arrangements for the discharge of duties which will include the cure of souls; and will be perfectly respectable and efficient as far as temporal provision is concerned, but which will not in any manner create a freehold, and thereby lead to a vested interest. I think the words used in the Church Temporalities Act are these—

> "That, in certain cases where appointments to Benefices are to be suspended under the Act, it shall be in the power of the Commissioners, together with the Bishops, to appoint to the parish a curate, and to assign to the curate such moderate remuneration—'moderate' is the epithet used—such moderate remuneration and allowance as shall seem becoming."

Now, I think that, in a case of this kind there is no reason at all why a person appointed to a provisional and temporary charge should be placed in the position of a mere curate as far as emolument is concerned. It may be very proper for the stipend to be small in cases where the parishioners are very few and the duties chiefly ceremonial. But in all parishes where there is real and extensive work to be done, I think the workman who comes to do it is entitled to fair remuneration, and the Bill I shall propose, if it be my duty to bring in such a Bill, will contain a provision allowing of an adequate remuneration, so that the Bishop and the Commissioners shall not deem themselves to be bound by the scale of pay generally given to curates. Under these circumstances I submit that the small amount of inconvenience which can arise under the plan which I have sketched out in principle in the Resolutions before the House is as nothing compared with the greater objects we have in view. I may be asked, perhaps, whether I have a precedent for this course of procedure. Well, Sir, I have a precedent for it as far as any circumstances in which Parliament has ever been placed could by possibility afford a precedent. Parliament has never been called upon before to deal prospectively, as it is now called upon to deal, with a great mass of absolute freehold interests; but it has been called upon to deal with interests which approximate in their character to freehold interests—namely, with the vested interests acquired by public officers in offices held during good behaviour. And when there has been a case in which legislation affecting such offices has been contemplated, and when at the same time for any reason it has been necessary to postpone either the whole or part of such legislation, Parliament has wisely provided against the growth of vested interests, properly so called. The principal example of this is the Act 6 & 7 *Will.* IV., c. 77, which was to carry into effect the recommendations of the Ecclesiastical Commissioners for England; and the 25th section provided that, in case the office of Judge, registrar, or other officer of the Ecclesiastical Courts became vacant during a period prospective, but defined by the Act, the person who might be appointed to such office—

> "Should accept and take it subject to all the regulations and alterations affecting the same which might be afterwards made and provided by and under the authority of Parliament, and should not by his appointment acquire any vested interest in such office, or any title to compensation in respect thereof."

I think it is evident we could not allow the existing law to confirm freeholds, and afterwards deprive parties of them even upon conditions, or even with compensation; that is a proceeding I should be slow to recommend. I think the plain and simple course is that the law should step in and intercept the creation of any freehold interests from this time. Although I do not say the precedent I have quoted is upon all fours with the case before the Committee, I think it is one which in substance supports the recommendation I make. I said I would confine myself to points of a practical character. I think I have sufficiently stated the object of this Resolution, and the grounds on which I recommend it; and I hope that it will be accepted by the Committee. The right hon. Gentleman concluded by moving the Resolution as follows:—

> "2. That, subject to the foregoing considerations, it is expedient to prevent the creation of new personal interests by the exercise of any public patronage, and to confine the operations of the Ecclesiastical Commissioners of Ireland to objects of immediate necessity, or such as involve individual rights, pending the final decision of Parliament."—(*Mr. Gladstone.*)

MR. GATHORNE HARDY: I will follow the example of the right hon. Gentleman the Member for South Lancashire, both in the brevity of my remarks and in the freedom from any acerbity which he has displayed on the present occasion. But I wish to explain in a very few words the position of the Government with respect to the Resolution now before the Committee. The two sides of the House appear to me to have totally different objects in this matter. The right hon. Gentleman and his Friends desire to disestablish and disendow the Irish Church; and the Government and its supporters wish to deal with abuses which may exist in the Irish Church with a view to insuring its efficiency and its permanence. That being so, of course we cannot give our assent to this Resolution. We admit that, upon the first Resolution, we have suffered possibly as great a defeat as we could expect to suffer upon a question of this kind; and, although I think there are many objections which might be taken in detail to some parts of these Resolutions, I would rather say at once, with a view to bringing to an end the business of the Session, as we have professed our wish and intention to do, that it is not desirable we should protract the discussion upon them; but it must be distinctly understood that the Government give no assent to these Resolutions and do not assent to the Bill which is to be founded upon them. The course they may think proper to take upon it will not be declared until the Bill is before the House. It is not necessary until we see it to declare the manner in which we would deal with it. I will only remark that, in these Resolutions, it strikes me there is a reservation or rather a restriction put upon the Church in Ireland which is not put upon other persons or other bodies in that country. As I understand, if these Resolutions are carried into effect by legislation there is no intention to apply the same rule which is applied to the Established Church to other bodies also. I do not observe that there is anything in these Resolutions to restrict the appointment of any new professor at Maynooth, or to restrict any further gifts under the *Regium Donum*. This, however, is a matter on which I need not dwell now; I merely remark it in passing. I quite agree with the right hon. Gentleman the Member for South Lancashire, that he has taken the correct course in asking for legislative sanction for the object he has in view. I quite agree also in the statement the right hon. Gentleman has made—I could not have stated it in stronger language myself—that it would be the duty of those who have the patronage—the public patronage—in their hands not to be guided by the Resolution of one House of Parliament, but only by an Act that had been passed by both Houses and had received the sanction of the Crown. That was the observation of the right hon. Gentleman, and it was a perfectly just one, and shows that he is not attempting in any way to over-ride, by the action of one House, those who have reposed in them the duties as well as the rights of patronage. Therefore, on the part of the Government, I recommend that there should be no division taken upon these Resolutions, and that we should meet them with a simple negative, without putting the House to the trouble of dividing.

MR. NEWDEGATE said, he admitted that the proposal of the right hon. Gentleman the Member for South Lancashire was necessary in order to relieve him from the imputation of attempting to legislate by means of the House of Commons, without consulting the House of Lords. If the right hon. Gentleman succeeded in passing the Bill founded upon the Resolutions, the result would be to forestall the action of the next Parliament, by imposing upon it the duty of repealing a statute, passed by the present Parliament, nominally temporary in its character. The Bill which had been foreshadowed would involve the principle of rendering the tenure of those clergy who would do the duty of the incumbencies affected by the Bill temporary, and would establish a precedent in part of the United Church dangerous to the freehold tenures of the incumbents of the Church in England. This principle was that of a clergy salaried by the State, holding their functions and cures at the pleasure of the Government. Such is the position of the *curés* in France; and to that position the principle of the Bill would, if used as a precedent, reduce the position of the clergy of the Established Church. The present movement was owing to the action of Dr. Cullen and Dr. Manning, the latter of whom, in the introduction to the second edition of his work entitled *Essays on Religion and Literature*, published by Longman in 1847, wrote in the same sense in which, in 1859, previous to his elevation by the Pope, he preached that the task of the Papal Church in this country was "to subdue and to subjugate an Imperial (meaning the English) race." The passage was as follows:—

> "Now, I have made the remarks as a ground for the assertion with which I shall conclude. The return to faith, which we have traced from the middle of the last century—that is, for now about a hundred years—steadily ascending, doctrine after doctrine, first within the Anglican Establishment, then reaching beyond it into the regions of antiquity and of Catholic truth, has now received its complement in the full re-entrance of the Catholic Church, and the authority of the Vicar of Jesus Christ. It is no longer a question of fragmentary doctrines or isolated truths; of a

> little more or a little less of this devotion or that opinion, but of the whole Catholic faith upon the principle of Divine certainty and of Divine authority through the Church and in its head. And it is visibly providential that at this moment the supremacy of the Crown, which is the Reformation *in concreto*, has literally come to nought. . . The Providence of God has poured shame and confusion on the Tudor statutes. The Royal supremacy has perished by the law of mortality which consumes all earthly things. And, at this period of our history, the supremacy of the Vicar of Jesus Christ re-enters as full of life as when Henry VIII. resisted Clement VII., and Elizabeth withstood St. Pius V. The undying authority of the Holy See is once more an active power in England; the shadow of Peter has fallen again upon it."

He begged pardon of the House for thus detaining them; but he saw the Liberal party of England thus opposing themselves in feeling and action to the Liberals of the rest of the world, inasmuch as they were accepting a policy dictated from the Vatican; and he hoped that his hon. Friends whom he saw opposite would excuse him if he warned them that they were entering upon a dangerous course.

MR. WHALLEY wished to say, in answer to the appeal of the hon. Member for North Warwickshire, that speaking for himself, and for, he believed, the Liberal party, his vote was given against the Church of Ireland because it had not done its duty on the subject-matters to which the hon. Gentleman referred; and he was prepared and anxious to record a like vote against the Church of England, believing that, while it was established and endowed to resist Popery, it had, in the words of the Prime Minister, been long in secret combination and was now in open confederacy with that power.

SIR FREDERICK HEYGATE said, he could not allow this Resolution to pass without recording his protest with regard to what the right hon. Gentleman (Mr. Gladstone) said about the Irish Bishops; he must say he thought it was rather unfair to quote the authority of one Irish Bishop and to take no notice of the opposite authority of all the other Bishops. Mr. Spurgeon, at a recent meeting, said that, if the Irish clergymen were turned into the streets to-morrow, it would only be an act of stern justice, avenging the past; and added that the object in view in this movement was the disestablishment of all Churches. The right hon. Gentleman seemed to assume that vacant parishes might easily be supplied by curates; but he must point out to the right hon. Gentleman that, for a number of years past, there had been a great difficulty in obtaining curates; and, if the ordinary inducements to their profession were to be withdrawn from them, very few of those gentlemen would remain in the country; and he was afraid the result would be that many of the parishes would be left altogether destitute. He had only to say further that he thought the Government had done wisely in declining those discussions, which were not upon the merits of the question, but were political discussions and intended for a political result. ["No, no!"] It was right in such a case not to go on dividing; but he hoped the day was not far distant when there would be a different result.

Question put, and *agreed to.*

2. *Resolved,* That, subject to the foregoing considerations, it is expedient to prevent the creation of new personal interests by the exercise of any public patronage, and to confine the operations of the Ecclesiastical Commissioners of Ireland to objects of immediate necessity, or such as involve individual rights, pending the final decision of Parliament.—(*Mr. Gladstone.*)

MR. GLADSTONE: I am only anxious, in proposing the third Resolution, to explain what is a point of form, but, at the same time, a point of form by no means unimportant. I am aware, and many Members of the House must be aware, that, according to the rules of the House of Commons, it would be competent to a Member to introduce into the House, with leave from the House, a Bill which might affect the rights of the Crown without the previous Assent of the Crown having been obtained. Such things have been done on certain occasions by a Government when it has happened, from the smallness of the subject-matter or from inadvertence, that notice has not been taken of the fact previous to the introduction of the Bill; and, again, Bills of that nature have been introduced by individuals not belonging to the Government, even when they were Bills to which the Government did not assent, and have been passed through certain of their stages without the giving of that Assent on the part of the Crown—it always being understood, however, that neither this House nor the House of Lords would ever consent to pass the Bill, or to part with it, until, at one of its stages, that Assent had been received. But, Sir, in this instance, the case is different. The interest of the Crown is in this case not merely a proprietary interest, but one of wide and far-reaching import; and also this is a Bill which, although it is not proposed by the Government, would be, I may say, proposed on behalf of a very large proportion of the Members of this House, acting together generally in its support. Now, that being so, I have felt, with the advice and concurrence of others, that it was my duty not to claim the entire liberty which the House has accorded to its Members; but to ask the House to present an Address requesting the Assent of the Crown, and allowing us to deliberate upon this subject before any Motion be made in the House for the introduction of the Bill. I should have been very sorry to set in my own person the precedent of one who, acting in any manner on behalf of a party in this House, endeavours to force a discussion on a Bill involving very important rights of the Crown without having had the Assent of the Crown previously obtained to the introduction of the Bill, though precedents in abundance might be found for such a course. I wish to make that explanation; but I need not trouble the Committee on other points, because the Resolution is simply consequent on the second Resolution. The Members of Her Majesty's Government are perhaps aware, and other Members of the House may be also, that in substance the words of this third Resolution are taken from the Church Temporalities Act of 1833—

> "Her Majesty would be graciously pleased to place at the disposal of Parliament her interest in the temporalities of the Archbishoprics, Bishoprics, and other Ecclesiastical Dignities and Benefices in Ireland, and in the custody thereof."

The only difference is that in the Church Temporalities Act the words only include certain of the bishoprics and the archbishoprics. I have never understood why, because other temporalities were affected, though not extinguished by the Act. But here I think it is better to request the Assent of the Crown with respect also to benefices and dignities, including everything which it is possible to bring within the scope of the Resolution. The right hon. Gentleman concluded by proposing—

> "3. That an humble Address be presented to Her Majesty, humbly to pray that, with a view to preventing, by legislation during the present Session, the creation of new personal interests through the exercise of any public patronage, Her Majesty would be graciously pleased to place at the disposal of Parliament, Her interest in the temporalities of the Archbishoprics, Bishoprics, and other Ecclesiastical Dignities and Benefices in Ireland, and in the custody thereof."—(*Mr. Gladstone.*)

Mr. LEFROY said, that as representing a constituency including a large number of the members of the Irish branch of the United Church, he could not allow this Resolution to pass without observation. At the same time he would imitate the wise and dignified conduct of the right hon. Gentleman the Home Secretary, and meet it with a negative. If he could by any means prevent that Resolution from passing he did not hesitate to say that he would persevere to the utmost. But he candidly confessed that the opinion of the House had been so fully expressed by the majority that it would be a vain effort to continue the opposition. He thought they would rather weaken than strengthen their case by doing so. The right hon. Gentleman the Secretary of State for the Home Department had, however, clearly stated the only terms on which the sense of the House was not taken by a division on that occasion. He would, therefore, reserve his opposition for a future day, and would content himself for the present with a protest. He would only advert to one observation of the right hon. Gentleman the Member for South Lancashire, who had quoted the gross revenues of certain parishes in Ireland. The amount certainly surprised him (Mr. Lefroy); but all he could say was that they must be subject to very heavy charges; for he was certain that the net amount of these parishes would equally surprise the right hon. Gentleman.

Mr. DARBY GRIFFITH said, that this was one of the most important and solemn occasions on which the Crown could exercise its functions; and he wanted to know, whether it was to be taken for granted that Her Majesty's answer to the Address must be favourable, or whether she might not return such a reply as she might think proper? Referring to what had been said on a previous occasion, that Mr. Pitt had dissolved in 1784, when he had been beaten by a majority of 1, the hon. Gentleman pointed out that it was not until Mr. Pitt had been beaten several times, and the majorities against him had dwindled down from 59 to 1, that he had dissolved, and he did so then because the mind of the country was prepared to respond to his appeal. He wished to know what there was to prevent the right hon. Gentleman at the head of the Government from doing the same? He called upon the right hon. Member for South Lancashire, and also the right hon. Gentleman the Prime Minister, to say, whether they thought the Assent of the Crown to the Address a mere matter of form; or whether, having protested against the introduction of the name of the Sovereign into the debate, they were now by a combination of both sides to prevent Her Majesty from exercising an independent judgment on this eventful occasion?

Mr. DISRAELI: It is unnecessary for me to make any statement to the Committee; but in consequence of the inquiry of my hon. Friend, who has just addressed us, I must say that I do not think there was any assumption on the part of the right hon. Gentleman the Member for South Lancashire as to the character of the answer he will receive, or whether he will receive any answer at all to that Address. What I understood the right hon. Gentleman to do was this—to propose certain Resolutions, one of which was an Address to the Crown. When these Resolutions have been properly passed they will be dealt with after due consideration by the Government, and Her Majesty will be properly advised with respect to them.

Mr. GLADSTONE: The right hon. Gentleman has represented me with perfect truth. I adverted to the liberty which, as I said, the House frequently gives to its Members, but which I did not, I added, intend to claim; but I never made any assumption whatever as to the particular nature of the advice which the Government might think it proper to give to Her Majesty, or as to the answer which the Crown might give to the Address, and it would have been highly improper had I done so.

Question put, and *agreed to.*

3. *Resolved,* That an humble Address be presented to Her Majesty, humbly to pray that, with a view to preventing, by legislation during the present Session, the creation of new personal interests through the exercise of any public patronage, Her Majesty would be graciously pleased to place at the disposal of Parliament, Her interest in the temporalities of the Archbishoprics, Bishoprics, and other Ecclesiastical Dignities and Benefices in Ireland, and in the custody thereof.—(*Mr. Gladstone.*)

Mr. LAING rose to move the following Resolution:—

> "That this House is of opinion, that while the principle of disestablishing the Irish Church has been affirmed by this House, the question is too important to be settled without an appeal to the constituencies created by the new Reform Acts; and therefore that it will be the duty of the Government to arrange the course of Public Business so as to enable this appeal to be made at the earliest practicable opportunity."

The hon. Member said, he did not intend to trouble the Committee by dividing, because the course of events had brought about the exact state of things which it was the object of his Motion to produce. He understood the position of affairs to be this—Her Majesty's Government proposed to wind up the Business of the Session as early as possible, with a view to bring about a dissolution under the new constituencies, and with regard to the Scotch and Irish Reform Bills, to leave the same liberty to the House which had been left to it in the case of the English Reform Bill of last year; but that, with the exception of those Bills, the ordinary business only of the Session would be brought forward. It was for the Leaders on both sides, under such an arrangement, to see that the business should be wound up so as to enable an appeal to be made to the new constituencies in October or November next at the latest. But, if it was the opinion of the Opposition that there was any constitutional objection to such a line of action, then it would be their duty to propose a Vote of Want of Confidence, which, if carried, would lead to an immediate dissolution. He had a very strong opinion, which was shared by many hon. Gentlemen on that side of the House, that the former course would be the most desirable. As far as he could form an opinion, the country was in favour of the decision come to by the House, and he believed that an appeal to the new constituencies would result in a large majority for disestablishment; but he should be sorry if an impression went forth that the question had been perverted to party objects, and that fair play had not been given to the Government in order to facilitate their recourse to that appeal. It was very desirable, moreover, that two General Elections should not occur within a very short period; and he believed that if the new constituencies decided unmistakably against the Irish Church, the more reasonable portion of the Conservative party would acquiesce in that decision. He could adduce other reasons for the course he had suggested; but there were occasions when the objects in view were promoted rather by silence than by speech, and he should be sorry to say anything which might revive those angry feelings which had happily to a great extent subsided. He wished, therefore, to withdraw his Resolution, trusting that calm reflection would lead to the adoption of the course it proposed.

Mr. AYTOUN, in rising to move the Resolution of which he had given Notice, said, he had voted in favour of the Resolutions, and hoped they would tend to the pacification of Ireland; but he must say that considerable doubt existed throughout the country whether any portion of the secularized revenues of the Irish Church was to be given to support the Roman Catholic religion. The right hon. Gentleman (Mr. Gladstone) had declined to enter into details as to the application of those revenues, and he was no doubt perfectly justified in giving that answer; but people out-of-doors were naturally anxious to know what course would be adopted by the right hon. Gentleman and his Friends in the event of their accession to Office. There might, at least, be an assurance given as to what was not intended to be done with these funds; but the right hon. Gentleman had said nothing to preclude the notion of their application to the furtherance of the Roman Catholic religion in Ireland. An influential meeting had been held at the Tabernacle, under the presidency of the hon. Member for Birmingham (Mr. Bright), in favour of the right hon. Gentleman's Resolutions, and at that meeting a letter, addressed to the chairman by Mr. Spurgeon, was read, containing the following passage:—

> "The one point about which the Dissenters of England have any fear is one which I trust you will mention to-night. We fear lest any share of the Church property should be given to the Papists. To a man we should deprecate this. Bad as the present evil is, we would sooner see it let alone than see Popery endowed with the national property. Not one single farthing ought any religious denomination to receive, and the whole matter will be imperilled if those in power are not quite clear as to any douceurs to the Pope. We are not agitated by the dead horse of 'No Popery,' which knaves would raise that fools may be their instruments; but we are very determined that it never shall be said that, under the guise of removing the grievances of Ireland, we made an exchange of endowed Churches, and put down the Anglican to set up the Roman image."

Mr. Spurgeon, who was likely to be a fair judge of the feelings of English Dissenters, believed the whole matter would be imperilled "if those in power are not quite clear as to any douceurs to the Pope." The House, however, did not give the assurance requested, and since, in one of his speeches, he had recommended that the glebes and glebe houses should be retained by the Protestant clergy, he must have contemplated the possibility of some equivalent to the Roman Catholics. The principle of religious equality on which this movement was based would manifestly be violated if the Episcopalians retained these endowments while the Roman Catholic priests received no equivalent. He was not saying whether any particular course would be right or wrong; but he thought it essential that no doubt should exist as to what would be done. He would leave the English Members to speak for themselves; but the people of Scotland were most strenuously opposed to any endowment of the Roman Catholic Church in Ireland, either in the shape of grants to Maynooth or to Roman Catholic schools or Universities in Ireland. The Roman Catholic body in Ireland were to a great extent Ultramontane, and Ultramontanism was altogether opposed to the feelings of the great mass of the people of England and Scotland. So long, therefore, as Ultramontanism existed in its present state in Ireland, it would form a political barrier to the union of the people of Great Britain and Ireland. He believed that the peculiar nature of the priesthood educated at Maynooth College had greatly developed the Ultramontane feeling in Ireland. There was not a more powerful priesthood in Europe; for they were mostly drawn from the lower classes of the people, and their power was thereby greatly increased. He felt confident that the people of Scotland would withhold their support from any Government which intended under any shape or form to give a grant to Maynooth, either in the nature of an allowance from the Consolidated Fund, or any sum by way of the capitalization of the Irish Church property. With regard to Roman Catholic denominational education, one Member of the Government stated that he approved it, and although in the late Government the then Secretary for Ireland said that no charter for a Roman Catholic University would be granted without giving the House an opportunity of expressing an opinion upon it, yet such a charter was, in fact, granted. His Resolution, upon which he should venture to take the sense of the House, would be good against any misunderstanding of this kind. The question embraced by his Resolution was of the greatest importance, and it was desirable it should be settled as speedily as possible. As a necessary means to such a settlement he trusted that the House would receive a definite assurance from the Government that they would not appropriate any portion of the property of the Irish Church to denominational education.

Mr. LAMONT, in seconding the Resolution, said, that if he had thought there would be the slightest hesitation or difficulty on the part of the right hon. Gentleman (Mr. Gladstone) in assenting to this Resolution, he should have voted against the right hon. Gentleman's Resolutions.

Motion made, and Question proposed,

"That when the Anglican Church in Ireland is disestablished and disendowed, it is right and necessary that the Grant to Maynooth and the Regium Donum be discontinued; and that no part of the secularized funds of the Anglican Church, or any State funds whatever, be applied in any way, or under any form, to the endowment or furtherance of the Roman Catholic religion in Ireland, or to the establishment or maintenance of Roman Catholic denominational schools or colleges.—(*Mr. Sinclair Aytoun.*)

The ATTORNEY GENERAL for IRELAND (Mr. Warren) said, he had attentively listened to the speeches made during the Irish Church debate by Members representing Irish constituencies, and he had not heard from them a single disclaimer of the Maynooth Grant, or an expression of willingness on the part of the Irish Roman Catholic Church to give up that endowment.

Mr. NEWDEGATE said, that, previous to the first division on the Resolutions for disestablishing and disendowing the Irish Church, he had objected to the idea of appropriating any portion of the property of the Irish Church to the purposes of any other religious denomination whatsoever. He (Mr. Newdegate) believed that a very long and wide latitude ought to be given to the first word of the Resolution "when" the Church is disestablished; the hon. Member was, however, looking to an eventuality, which he was compelled to contemplate, and deserved great credit for his foresight. As he (Mr. Newdegate) was obliged also to look forward to that eventuality, he could not refuse to support the Amendment, if the hon. Member should press it to a division. The anticipation of the hon. Member, that some portion of the property of the Church would be sought by the Roman Catholic hierarchy was perfectly reasonable, because in a published letter, Dr. Moriarty had distinctly stated that some of the funds ought to be applied to schools, the erection of churches, and various other purposes of the Church of Rome; while the same expectation was elaborately set forth in the last number of *The Dublin Review*, in a most remarkable article headed "The Case of Ireland before Parliament." He thought the hon. Member was justified in meeting, as far as possible by anticipation, expectations of that kind. But if he (Mr. Newdegate) were asked whether the protest made by the Amendment would be effectual if the disendowment was carried? he must say that he did not think it would, because the power which actuated the majority of the House to disestablish the Protestant Church in Ireland would be sufficient to endow all denominations, the Papal included, after the disestablishment had taken place. He had deprecated the idea of chartering and endowing a University in Ireland. *The Dublin Review* approved of the policy of the right hon. Member for South Lancashire, and attributed his conduct entirely to the apprehension with which the Fenian outbreak had inspired him; and that article, emanating from the most Ultramontane publication in Ireland, closed with a distinct claim to endowment for the Roman Catholic University, after it was chartered, which the Roman Catholic hierarchy, who patronized *The Dublin Review*, expected as the inevitable consequence of the course which the House had taken, supposing, of course — which he (Mr. Newdegate) thought a very erroneous supposition—that the Reformed Parliament would confirm the declaration of the present House of Commons. Seeing, then, that that expectation and claim had been put in already on the authority of the Roman Catholic hierarchy in Ireland—although he did not believe that this country would sanction the disestablishment and disendowment of our religion in Ireland—he should certainly divide with the hon. Gentleman, if he went to a division. He felt convinced that, if the Church of Ireland was disendowed, the power and influence which now commanded the Liberal party would most surely carry out the anticipations expressed by Dr. Moriarty, and in the last number of *The Dublin Review*, that some portion of the funds which were to be wrested from the Protestant religion would be appropriated to the purpose of the Roman Catholic hierarchy.

Mr. AYRTON said, he wished to know, whether, in point of form, practice, and usage, when they were in Committtee on the Established Church of Ireland, they could suddenly convert themselves into a Committee upon the Presbyterian or Roman Catholic Church in Ireland? The Resolutions which they had gone into Committee to consider were limited to the Irish Established Church; and he should like to know, whether it was regular for that Committee to take up Resolutions relating to a totally different subject? If any hon. Member desired to consider the position of the Roman Catholic Church or of the Presbyterian Church in Ireland, it would be much more convenient to move for a Committee on the particular Church he wished to refer to ["Oh, oh!"], and they could then consider whether any legislation was necessary with regard to that Church. Whatever might be the decision of the Chairman on the point he had raised, he, himself, would vote against this Resolution, as he would vote for the Previous Question, on the ground that it was quite irrelevant to the subject before the Committee.

MR. WHALLEY rose to order. The hon. and learned Member for the Tower Hamlets had risen to a point of Order, but had departed from that, and was explaining what he would do, in spite of any decision which the Chairman might give on the question he had raised.

MR. AYRTON said, the hon. Gentleman was not quite accurate. He had not risen to a point of Order, but because, the previous speaker having concluded, an opportunity was afforded him to address the Committee. It was true he had intimated his wish to ask the Chairman's opinion whether the course now being pursued was usual? but, to save the Committee the inconvenience of his rising again, he had gone on to say, before he was interrupted, that, whatever might be the Chairman's decision on the order of proceeding, he would object, as an individual, to enter into the discussion of a question which he thought irrelevant to the main purposes of that Committee. He would, therefore, vote against the Resolution without desiring to express any opinion on its subject.

MR. ROEBUCK wished to say, before the Chairman rose to answer the question put to him, that the question they were then discussing was the disendowment as as well as the disestablishment—because the two things could not be separated—of the Irish Church. Well, what would weigh very much in the minds of a number of men in determining that question was the after applications of the funds to be obtained by the process of disendowment, and to say that point was not relevant to the question seemed to him to be wholly to misunderstand the great subject of the present discussion.

MR. SERJEANT GASELEE said, he was rather surprised at the objection taken by the hon. and learned Member for the Tower Hamlets. Although himself not so skilled in the rules of the House as that hon. Gentleman, who was also, no doubt, more acquainted with the Resolutions of the right hon. Gentleman the Member for South Lancashire, and much more in that right hon. Gentleman's counsels than he had been, and who, probably, had a place already carved out for him in any new Administration, still, he thought, it was very natural they should have a distinct understanding as to what they were going to do in the matter. Unless he had understood the right hon. Member for South Lancashire to say undisguisedly that none of those funds were to be applied to the Roman Catholic Church, he would not have voted with him. It was highly important they should enter into that subject at once; and if a Standing Order stood in the way, as suggested by the special pleading of the hon. and learned Member for the Tower Hamlets, it should be set aside for that purpose. They ought not to proceed further, in regard to the Bill that was about to be brought in without, having a distinct understanding on that question. The people of England, he believed, were opposed to giving the money of the Irish Church to increase the *Regium Donum*; and he felt sure they would rise as one man against the proposal of the right hon. Member for South Lancashire, if in disendowing the Irish Establishment, they were going to endow the Roman Catholic Church.

THE CHAIRMAN, as to the point of Order raised by the hon. and learned Member for the Tower Hamlets, must remind the Committee that, by the Order of the House, they were then in Committee on the Acts relating to the Irish Church, and therefore they were not in Committee on the Acts relating either to Maynooth or the *Regium Donum*. The Resolution moved by the hon. Member for Kirkcaldy (Mr. Aytoun) referred, mainly, to the Anglican Church in Ireland, and the application of the funds belonging to that Church in the event of its being disestablished and disendowed; and therefore the Resolution, as a whole, seemed to him sufficiently within the terms of the Reference to the Committee to enable the Committee to entertain it. Such part of it as related to the Anglican Church in Ireland and the application of its funds was plainly within the Order of Reference to the Committee.

MR. BRIGHT: Sir, I wish to make this observation in regard to this Resolution, that it is one of a very different character—I am not now expressing an opinion as to what it proposes to effect—from those which have already been agreed to by the Committee. The three Resolutions which have already been agreed to were necessary for the purpose of laying the foundations of a measure which it is hoped the House will pass during the present Session. Therefore, there was nothing in them that was of the nature of an abstract Resolution; and nothing that pretended in any way to bind Parliament or any parties hereafter. Now, the present Resolution is of a different character; because it has nothing whatever to do, and can have nothing whateever to do, with the Bill which it is understood is about to be introduced into the House. It has this great objection, that although it may express the opinion of this House as to what should be done at some future time, yet as a General Election usually leaves out about 200 Members who had sat in the previous Parliament, and a new Parliament is a body of Gentlemen often of different sentiments and acting from different motives, and often under a different set of circumstances from the one that preceded it, there seems to me no use whatever, as regards any purpose of legislation, in passing the Resolution just moved by the hon Gentleman behind me. To the first part of the Resolution, as far as the word "discontinued," I presume everybody in the House would agree; because it has been stated over and over again, in the course of these discussions, that if the Irish Church were disestablished, the Maynooth Grant and the *Regium Donum* would be withdrawn. That is a matter about which I presume there should be no question and no dispute whatever. But I object to the words in the latter part of the Resolution, because they purport to bind the Committee to what, in my opinion, it is quite impossible for the Committee to bind itself to. I ask hon. Gentlemen, if they have read the clause, just to read the latter part of it again. It says—

> "And that no part of the secularized funds of the Anglican Church, or any State funds whatever, be applied"—mark the words—"in any way, or under any form, to the endowment or furtherance of the Roman Catholic religion in Ireland, or to the establishment or maintenance of Roman Catholic denominational schools or colleges."

Well, but seeing that you have in England a system of education almost altogether denominational, and also seeing that there is a system that I do not approve of, and never have approved of, but which still exists, and has been sanctioned by Parliament for thirty years, the hon. Gentleman wishes the next Parliament to decide that that system is wholly inapplicable to Ireland. You have adopted that system in Ireland, and practically your system must be denominational to a large extent; because in three-fourths of the country, or more than one-half, at least, the schools being in districts where there is no population but a Roman Catholic population, must, as a matter of course, be denominational. But then if you pass this Resolution, the result would be this—no, there would be no result whatever; I am quite in error, because no future Parliament would feel itself bound in the slightest degree by this Resolution. We are not about to legislate upon it. We are merely asked to pass this Resolution for the purpose of expressing the opinion of hon. Gentlemen who happen to be sitting in the House this evening. But it might be that, in a future Parliament, my hon. Friend, or some other person, might refer to this Resolution as a kind of pledge which Parliament had passed and agreed to. Of course a future Parliament would not care a single farthing about a Resolution of this nature which had been proposed in a previous Parliament. I therefore put it to the hon. Gentleman who has moved the Resolution that he should stop at the word "discontinued." After the repeated declarations which have been made by the right hon. Gentleman the Member for South Lancashire there is no necessity for adopting the first part of the Resolution. But with regard to the latter part of the Resolution, I, for one, could not give it my support, and if it is put to the vote I shall certainly divide against it, and on the grounds, that, first of all, it has no reference to any legislation which is proposed to be introduced during the present Session; and secondly, that I will not have my hands, or my vote, or my voice tied up against any proposition that may be made hereafter for assisting schools for general education in Ireland, which may be, and I believe must practically be in a large portion of that country denominational schools, and to which denominational schools this clause strongly and emphatically objects. On these grounds I shall vote against the latter part of the Resolution, while to the first I have no objection to offer except that it is unnecessary.

Sir JAMES FERGUSSON said, the Committee had now to deal with some of the evils of the recent precipitate Resolutions; for upon the first occasion of a supporter of the right hon. Member for South Lancashire proposing a Resolution, which was its natural consequence, he was told by his friends that it was ill-timed, inconvenient, and useless, so far as it regarded the future. He had taken no part in the debates on the three Resolutions, not because he did not regard the question as being of paramount importance, nor because his constituents did not take great interest in it, but because — seeing his way so little into the future — he was unwilling to offer opinions which must necessarily be crude, and which he might hereafter deem it to be his duty to modify. But when the House was told, a sit had been by the hon. Gentleman who had just spoken, that a Resolution dealing with the branch of the subject immediately under its consideration was useless and ill-timed, he should like to be informed how it was more useless or ill-timed than those other Resolutions which had already been pressed upon their acceptance? It was clear, he thought, after the speech of the hon. Member (Mr. Bright), that the consideration of those Resolutions had been so pressed from party motives—["Oh, oh!"] —and not because the House was in a position to deal with the question with advantage. He did not for a moment believe that the right hon. Gentleman the Member for South Lancashire, in taking the course which he had pursued, was not acting from most sincere conviction, and with an earnest desire to remove all causes of discontent in Ireland. But he could not help thinking that advantage had been taken of the state of things which unhappily prevailed in that country to press the question forward at a time when Parliament could not legislate upon it. The consequence was, that, instead of being content with taking the opinion of the House on the eve of a dissolution, he had gone further, and sought to pledge the House to steps of which he and his followers could not see the legitimate consequence. And now he would ask how the Roman Catholic Church in Ireland was likely to be affected by those proceedings? The Committee had expressed its opinion in reference to the patronage of the Crown in Ireland, and now they were told that any attempt to say how the funds should be dealt with would be futile. The noble Earl who was the Leader of the Opposition in the other House, giving up the plan which he first proposed with respect to the disposal of the revenues of the Irish Church, was now in favour of the proposal that there should be no endowments at all in that country. That being the deliberate opinion of the noble Earl and his followers, how, he would ask, could they refuse to support the Motion of his hon. Friend opposite, who contended that the necessary sequence of the disendowment of the Established Church must be the withdrawal of all State aid from the Roman Catholic religion? The question was one, he might add, of the utmost interest to his constituents. He had altogether declined to join with those who sought to do away with the grant to Maynooth on the ground that the matter was settled; but now that it would seem that the endowments of the Established Church were about to be withdrawn, the question with regard to the Maynooth Grant would be re-opened. He would ask, how were they going to deal with Maynooth College? Were they going to give any of the proceeds of the Established Church to the Roman Catholics? That was a question which presented itself to him with great force, and it should be one of the questions to be considered by the Committee. He, for one, should not shrink from giving his vote in favour of his hon. Friend's Resolution should he press it to a division. Those who had lent their aid to rob the Irish Church were already quarrelling over the spoils; and he should, notwithstanding what had fallen from the hon. Member for Birmingham, vote as he had stated. Before he sat down, he desired to ask the Chairman, whether it would not be necessary, as it had been ruled that the Resolution could only refer to the Anglican Church and the application of its funds, to strike out the words, "it is right and necessary that the Grant to Maynooth and the *Regium Donum* be discontinued; and that?" The Resolution would then read—

> "That when the Anglican Church in Ireland is disestablished and disendowed, no part of the secularized funds of the Anglican Church be applied in any way, or under any form, to the endowment or furtherance of the Roman Catholic religion in Ireland, or to the establishment or maintenance of Roman Catholic denominational schools or colleges."

He should vote with the hon. Member who had moved the Resolution, with no intention of joining him in an attack upon the Roman Catholic Church; but only to be consistent to the principles he had always upheld, as well as to the Resolutions to which the House had been content to come.

SIR GEORGE GREY said, he agreed with the hon. Baronet (Sir James Fergusson) that the present Resolution was a precipitate one, and an agreement with it would be attended with most embarrassing consequences. ["Oh, oh!"] The hon. Baronet, and those who supported it, were anxious that no State funds should be applied to the maintenance of the Roman Catholic religion, or of denominational schools; but the hon. Member for Birmingham (Mr. Bright) had shown that many of these now supported by public money were exclusively denominational; but this Resolution was not confined to Ireland. There were Roman Catholic schools in this country, and this Resolution, if agreed to, would affect them, and it would tie up the hands of the Government in regard to them. Further, it would affect the Roman Catholic chaplains in the army and the navy and the gaols, and, indeed, all cases in which public funds were applied to Roman Catholics. Seeing the embarrassment this Resolution would create in the cases of Roman Catholic chaplains of gaols and garrisons, he was surprised that any Member of the Government would support it. He trusted the Committee would not entertain it for a moment.

MR. FAWCETT rose to order. He wished to know whether, as a matter of Order, the words "State funds" must not be left out of the proposed Resolution? If they were left out it would relieve many hon. Gentlemen in coming to a conclusion.

MR. NEWDEGATE asked whether, in the event of the Irish Church being disendowed, the proceeds of the endowments would not lapse to the Crown? because, in that event, they would be State funds.

MR. PERCY WYNDHAM said, he could not vote for the Resolution of the hon. Gentleman opposite (Mr. Aytoun) as it stood.. If the Resolution were affirmed and carried out by Parliament, and the Irish Church disestablished and disendowed, they should lose the Irish Church as an Establishment, without gaining the only advantage which those who were in favour of the proposal said they would obtain from it. If money were settled on the Anglican Church in Ireland, independently of State interference, and they bound themselves under no circumstances whatever not to extend the same principle to other religions, the fate of the Irish Church would soon be followed by the disestablishment of the English Church.

THE CHAIRMAN said, the hon. Member for Brighton (Mr. Fawcett) rose, as he had a right, to a point of Order. He could only repeat what he had already stated. The Reference by the House to the Committee was, that the Committee should take into consideration the Acts relating to the Established Church in Ireland; and, therefore, the House was now in Committee not on the Act relating to Maynooth College, or on the *Regium Donum*, or State funds. At the same time the Resolution, as a whole, had reference to the application of the funds of the Anglican Church, in the event of its being disendowed, and incidentally dealt with Maynooth and the *Regium Donum* as a condition or consequence of such disendowment. He therefore could not say that the Resolution as a whole was, in consequence of its reference to Maynooth College and the *Regium Donum*, out of order, or that the words adverted to must necessarily, as a matter of Order, be omitted from the Resolution, in order to bring it within the terms of the Reference made by the House; but he again stated that the Reference made by the House related to the Acts concerning the Established Church in Ireland; and it was for the Committee to judge whether it was within the spirit of that Reference to enter into any discussion with respect to Maynooth, the *Regium Donum*, or the application of State funds; and whether the present was the convenient time or opportunity for doing so.

MR. GLADSTONE: My hon. Friend who moved this Resolution (Mr. Aytoun), made an appeal to Her Majesty's Government which was not answered, and in consequence of that appeal I did not rise to address the House, because I did not consider that I am in a position which renders me principally responsible for the conduct of the business of the House. Though that may be so, yet I have undertaken, I must tell my hon. Friend, a very great responsibility in the face of the House and of the country. There is no man who will be more deeply disgraced than myself if, owing to any weakness, rashness, or cowardice on my part, this great undertaking should break down. But, on the other hand, my obligation extends to this point — carefully to separate myself, at whatever risk of misunderstanding, from any proceeding which appears to me deliberately to alter injuriously the due course and order in which, if we are to have any successful dealing with a question so great and complicated as this, we must necessarily approach its various parts, and all attempts of any Members to pledge the House before the proper time to opinions, however important, or however right, should fail to receive the support of the House, as being likely, as I think, to lead us into confusion. I therefore most humbly decline to be a party to such attempts. It appears to me most important that we should consider the great distinction between opinions enunciated, however solemnly, by Members of this House and the decisions of the House itself, whether in its ordinary form or in a Committee of the House. The order in which this matter presents itself to my mind is this—When I look to Ireland I see a great system of State endowment. I see that system interwoven with many social arrangements, possessed of great power, supported by the Ministers of the Crown, and carefully identified—most honestly, I have no doubt—by a large number of influential persons, with the interests of the Church of England. That being so, it appears to me to be the dictate of common sense that when you have arrived—when anyone has arrived at the conclusion that this great system of State endowment and Establishment should be brought to a close, he should very carefully consider the order of his proceedings. Now, in considering the order of these proceedings, I have not hesitated to touch the question of the grant to Maynooth, and have said explicitly that, in my opinion, the Maynooth Endowment Act must be repealed. I have also spoken explicitly with regard to the *Regium Donum*, and have said that, in my opinion, that must come to an end. I cannot blame myself for having dwelt too little on those matters, considering that the position I occupy is simply that of an Independent Member of Parliament, without official responsibility. Yet I have not, furthermore, hesitated to say that I am firmly convinced that this operation must include and involve as its basis the total cessation of any attempt to maintain an endowed or salaried Church or clergy in Ireland. That being so, I have not presumed to ask the Committee to vote upon such proposals as that contained in my hon. Friend's Resolution. I am compelled to look to the mode in which this House, having before it a very great and difficult enterprise, may most successfully make its approaches to the fortification it wishes to take. The Establishment as a fortification has been zealously defended, and we wish to take that fortification and to raze the Establishment to the ground. That being the case I have called upon the House, in the first instance, to take those matters which deal with the main principle primarily in hand. But the hon. Member (Mr. Aytoun) demands, and the hon. Member for Peterborough (Mr. Whalley) who cheers him, demands to know completely what is to be done with all those important principles which shall arise in the consideration of this question.

MR. AYTOUN: I beg pardon. I demanded to know what was not to be done.

MR. GLADSTONE: I also beg pardon. But my hon. Friend distinctly stated at the close of his speech that he wished to know completely my views upon this question.

MR. AYTOUN: I beg to say that my right hon. Friend misunderstood me. It is quite possible I may have expressed myself in such a manner as to lead him to misinterpret me; but what I meant to say was that it is desirable we should have a complete issue before us. I do not mean that the details of the plan of the right hon. Gentleman should be made known; but that we should have a clear understanding as to whether or not any portion of the funds of the Anglican Church should be given to the Roman Catholic Church.

MR. GLADSTONE: My hon. Friend does not ask me to give a plan. In the place where I stand it is not competent for me to form one; it would be the height of rashness for me to do so. There is no grant at present that I know of to the Roman Catholic Church in Ireland, except that conveyed by the Maynooth Act, and that Act I have already said, in my opinion, must be repealed. My hon. Friend asks me—

> "Whether it is part of my plan, as an equivalent to the glebes and glebe houses proposed by me to be reserved to the future incumbents of the Anglican Church, to give glebes and glebe houses, or any other equivalent, to the parish priests of the Roman Catholic communion?"

Why, Sir, I have never asked the House to vote that any glebes or any parsonage house or any church shall be reserved or given to any communion. The House remains totally uncommitted on that subject. When a proposal of that kind—with respect to which I have my own opinion—is made to the House, let it then consider whether that proposal will entail any proceedings with respect to the Presbyterians or the Roman Catholics which it deems objectionable, and if so, let it decline to give those churches or glebe houses to members of the Anglican communion. My hon. Friend appears to me to be taking a course adverse to the furtherance of his own views. The House has voted this, and this alone—First of all, that in our opinion, it is necessary that the English Church in Ireland should be disestablished, subject to a due regard to vested interests and proprietary rights. To that extent, and to that extent alone, the House has pledged itself. It has then gone on, by a second and third Resolution, to lay the basis for the introduction of a Suspensory Act. It is best that I should consider the Motion of my hon. Friend, first with regard to that part of it which you, Sir, have declared to be within the spirit of the rules which guide the Committee; and, secondly, with regard to that part of it which you have apparently intimated is not within the spirit of those rules. The first portion is that relating to the grant of Maynooth and the *Regium Donum*. Now, I am at a loss to know why these subjects can be brought within the jurisdiction of this Committee. It appears to me, looking at the regular order of the question, that the Secretary of State for the Home Department was perfectly in order when, in the course of his speech this evening, he observed that I had said nothing respecting the creation of new vested interests in connection with the College of Maynooth and the churches of the Presbyterians. The reason I said nothing on that subject will, I hope, be satisfactory to the right hon. Gentleman. I feel some difficulty as to the form in which cases of that kind can be dealt with by legislation, because there are no vested interests in either of those cases of a nature known to the law. But, I agree with the right hon. Gentleman and my hon. Friend that both as regards the final arrangements and the Suspensory Act, the same principles ought to be applied first to the Established Church and then to the *Regium Donum* and to Maynooth. The only question now remaining for our consideration is in what manner it is most convenient to deal with the matter in detail, and that I hope to have time to consider. I presume my hon. Friend will be disposed to drop from the Resolution the matters that are not within the spirit of the rules that govern this Committee. I refer to that part of the Motion relating to Maynooth and the State funds. I apprehend that the Motion will then stand in this form—

> "That when the Anglican Church in Ireland shall have been disestablished and disendowed, it is right and necessary that no part of the secularized funds of the Anglican Church be applied in any way, or under any form. to the endowment of the Roman Catholic religion in Ireland, or to the establishment or maintenance of Roman Catholic denominational schools or colleges."

The last proposition not being limited to Ireland at all. I cannot vote for the Resolution. It would, in my opinion, lead to great misapprehension. I have no intention whatever of circumventing the House; and if I have any proposal to make which is likely to go against the conscience of any man I shall take care that the proposal is clearly laid before him. I contend that this is a very solemn matter. We have not for years adopted words more historic than are those of these Resolutions, and they must be qualified to stand the test of the severest examination. I hope my hon. Friend will not think me hypercritical when I remark with reference to the opening phrase of his Motion that I have never used in these debates the word "disendowed," and for well-considered reasons. If I had used it I am perfectly certain that in our debate upon the particulars of the plan we should be involved on every possible occasion in a dispute as to whether faith had been kept or not. There are some endowments of the Irish Church that have been given by individuals; still they are endowments in every sense of the word; they have become part of the national endowment. I would not give a pledge that will subject me to the taunt of any man; but if I were now to propose disendowment and afterwards to propose to leave untouched the endowments of Primate Robinson, Primate Boulter, or Lord Herbert, or any others who have given large sums to the Anglican Church, I should be justly open to the charge of having broken faith. I will not bind myself to take such endowments from the Church. I will use no ambiguous words, and these Resolutions which we have voted do not contain a syllable, as far as I know, which we shall be unable to fulfil in the spirit and in the letter. I am, therefore, not ready to vote for the Resolution of my hon. Friend. Then with respect to the opinion that parsonage houses as well as churches should be left in the possession of members of the Irish Church Establishment. Parsonage houses, I believe, in law are endowments. But I will not attempt to shut the door or limit the discussion of the House upon matters of this kind. If the price I am to pay for the position I am now assuming is to be misunderstood out-of-doors, I will cheerfully pay that price. I will accept no Resolution which pledges me to a course of conduct which I may afterwards be unable to carry out. The Resolution of my hon. Friend would pledge the Committee never to maintain a Roman Catholic denominational school in England. How, then, can he ask us to vote for it? Probably, my hon. Friend may wish to amend his Resolution, and say that he does not want to have any denominational schools supported in Ireland. Let me in all earnestness ask my hon. Friend whether he really feels so confident in his own legislative strength that he does not feel that we have got enough upon our hands at present? I am very sanguine with respect to this great question; but I am very certain of this—that a very few errors in the conduct of affairs, a very few innocent mistakes, will go far to prejudice all we have done. I will tell my hon. Friend explicitly one more conclusive reason why I will not vote for his Motion. I must leave to the hon. Baronet (Sir James Fergusson). I must leave it to any Gentleman, if such there be who sit with or behind Her Majesty's Ministers, to vote for it; I will not, as I never have voted for any Motion which selects from all forms of religion among my fellow-countrymen one particular form of religion and stigmatizes it by making it the subject of a special condemnation or special renunciation by Parliament. Disestablishment of the Church is what we have primarily in view; general disendowment as a rule and as an ultimate aim, with respect to bodies of religion in Ireland and without any odious distinction, must evidently follow, and is plainly involved in the plan. About this there can be no doubt; but no consideration of policy will induce me for one moment to take advantage of a particular state of feeling which may prevail on some of these Benches opposite, to purchase momentary favour by an act unjust to a portion of my fellow-countrymen, and which I feel to be incompatible with my position.

Mr. J. HARDY hoped the Motion would be pressed to a division, in order that Independent Members on both sides of the House might express their opinions. The right hon. Gentleman (Mr. Gladstone) had not been quite fair to the hon. Member for Kirkcaldy (Mr. Aytoun), because the pledge given was that none of the endowments of the Established Church should go to the Romish Church; not that no endowment was to go to the schools of Ireland. The whole proceeding foreshadowed what would come from the ill-advised Resolutions of the right hon. Gentleman. For his part, one Resolution was as good as another. ["Oh!"] One was just as binding as the other. In somewhat vulgar phrase, "what was sauce for the goose was sauce for the gander." One of these Resolutions was objected to as binding the House to some particular course, it might be twelve months hence, yet three Resolutions at least equally binding had been passed without any similar objection. Those three mischievous Resolutions, as he ventured to call them, bearing the seeds of the dissolution of this House, and probably of a future House of Commons, were put forward as binding. Then let it not be said that the Resolution of the hon. Member opposite was in any way less efficacious. He knew that among the Scotch Members, at all events, if it had been supposed for a moment that any portion of the endowments of the Protestant Church of Ireland were to go to the Roman Catholic Church the majority on the Opposition side of the House would not have been nearly what it was. He only hoped that the hon. Member for Kirkcaldy would not be mystified by the right hon. Gentleman the Member for South Lancashire, but, having come forward as an Independent Member, he would give Members of the House an opportunity of giving an independent vote.

Mr. COGAN said, that, in the present position of the question, Members were in some difficulty, and probably the Liberal party were in a position of some danger. [*Cheers.*] That, of course, was gratifying to Members opposite, and the opportunity thus afforded to them had been eagerly turned to account. The speech of the hon. Gentleman the Under Secretary for the Home Department (Sir James Fergusson) he presumed might be taken to some extent as indicating the course which the Government intended to take. The Government, he believed, were actuated by feelings much more intelligent than those of the hon. Member who had brought forward this Motion. They knew full well that this Motion was calculated to be of very material injury to the cause which the Opposition had at heart, and for that purpose, and that alone, the Motion was supported by Her Majesty's Government. He deeply regretted that a Motion attended with such effects should have proceeded from the Opposition Benches. It would have been much more in character and much more seemly if a

Motion calculated to defeat, to weaken, and to injure the Liberal party had proceeded from the other side of the House. He had said that the Liberal party was in danger, and his reason was this — The position of the party would, indeed, be one of danger if they were to debase from the position of Leader the right hon. Gentleman the Member for South Lancashire, and to erect in his stead the hon. Member the mover of this Motion. He appealed to Members of the Liberal party, he appealed to their common sense as Englishmen, anxious to carry this great question to a successful issue, to be guided by the wisdom, the courage, and the sterling honesty, of the right hon. Gentleman who had proved those qualities by many years' service. He appealed to them not to degrade themselves, or to justify the epithet but a few days ago applied to them by the right hon. Gentleman the Member for Kilmarnock (Mr. E. P. Bouverie), when he said that they presented the appearance of "a rabble." If those sitting on the Opposition side of the House were not prepared to act together as a party under the guidance of trusted Leaders, it was hopeless to look for the settlement of a question so difficult as this. And if any man, no matter how great or how small he might be, was to set himself up to guide the deliberations of a great party in carrying this question to a successful issue, and if a considerable number, or even any small number, sitting upon the Liberal side, so far forget the dictates of common sense—["Oh, oh!"] —yes, he repeated it—they would be forgetting the dictates of common sense in forgetting the allegiance which was due to the gifted Member for South Lancashire, who had led them to so great a triumph as they had witnessed that evening. They had seen the second and third of his Resolutions carried in a triumphant manner, and the discomfited Government and the discomfited party opposite were afraid even to divide against them. With the *prestige* of victories like that, was it to be tolerated for one moment that any individual, for the purpose of gratifying his own peculiar opinions, was to come forward as an apple of discord into the ranks which without union could never be led to victory? He objected to the Motion on the broad ground that it was wrong to embarrass themselves with more than one question at a time, or to attempt to tie the hands of Parliament with regard to matters not immediately before it. Still, let him not be misunderstood. As an Irish Catholic Member, he was not in any way offering an opinion in favour of the continuance of the Maynooth Grant or of the *Regium Donum* to the Presbytery of Ireland. And, in saying this, he was authorized to say that he did not speak for himself alone. He begged to declare for himself, and those whose sentiments he conveyed, that they fully recognized the necessity, when religious equality was established in Ireland, that the Maynooth Grant should ceased to exist. They were prepared for it, and quite able to do without it. They were quite prepared, also, for the discontinuance of the *Regium Donum*; and he and they believed it would be a very small price to pay for securing the peace and prosperity of Ireland, and the establishment and maintenance of religious equality in that country.

MR. NEWDEGATE begged to compliment the hon. Member for Kildare (Mr. Cogan) upon the vigour with which he had applied the Papal thong to the party opposite. The hon. Member for Kirkcaldy (Mr. Aytoun), who had moved the Amendment, was, however, a Scotchman, representing a Scotch constituency, and, however he might suffer under the infliction of the Papal thong, he (Mr. Newdegate) believed that he would persevere with his Amendment from a sense of duty. The right hon. Gentleman the Member for South Lancashire said—"I have declared that the Maynooth Grant and the *Regium Donum* shall cease. It is my will that all endowments shall cease, because I am unwilling that any denomination shall remain under the stigma of being unendowed." But the right hon. Gentleman refused to confirm these declarations by his vote; and then was it not a stigma on the Church of Ireland that she should not only be endowed but disendowed? The hon. Member for Birmingham (Mr. Bright), who had said that the Resolution was objectionable because it prospectively bound the House, would excuse him (Mr. Newdegate) for saying that that was an objection which applied with no less force to the Resolutions which the Committee had adopted, and with still greater force to the Bill that was to be proposed. He hoped the hon. Member would adhere to his Motion, because, if he and others were to be bound by the Resolutions of the right hon. Gentleman, they had a right to know what those Resolutions meant. On the first night of these debates he was confident that the Scotch Members and the representatives of voluntary principle did not see the real bearing and intention of these Resolutions, and were not aware that in an authoritative publication, which had been the organ of Cardinal Wiseman, there was a distinct declaration that the Roman Catholics supported the Resolutions with the view of appropriating to themselves the funds of the Irish Church. He hoped that in justice to his constituents, to the Nonconformist body, and to the advocates of the voluntary system, the Member for Kirkcaldy would press his Motion to a division.

Mr. CLAY presumed that it was impossible to find a subject on which both sides of the House would be in perfect accordance; but if there was one subject more than another on which Gentlemen opposite agreed with the Liberal party, it must be that if the Irish were disendowed the Maynooth Grant and the *Regium Donum* must follow. There were scarcely half a dozen Members who would controvert that proposition. If that were so, what purpose could be served by the Resolution of the hon. Member for Kirkcaldy (Mr. Aytoun) the first half of which was out of order, and the other half of which involved legislative difficulties so great as to be almost impossibilities? More than that, the Resolution would introduce difficulty and confusion in the great work which the House had set about. The Resolution would stand as an isolated insult to Roman Catholics.

Mr. WHITBREAD said, he had no doubt that the hon. Member for Kirkcaldy meant that his Resolution should be a supplement to the first Resolution of the right hon. Gentleman. He would venture to propose an Amendment on the hon. Gentleman's Resolution—that was to say, to leave out all the words of his Resolution after the word "that," in order to add these words—

> "When legislative effect shall have been given to the First Resolution of this Committee respecting the Established Church of Ireland, it is right and necessary that the Grant to Maynooth and the Regium Donum be discontinued."

Amendment proposed,

To leave out from the first word "That" to the end of the Question, in order to add the words "when legislative effect shall have been given to the First Resolution of this Committee respecting the Established Church of Ireland, it is right and necessary that the Grant to Maynooth and the Regium Donum be discontinued,"—(*Mr. Whitbread,*)

—instead thereof.

*Mr. Newdegate*

Colonel W. STUART asked, whether that Amendment would be in order?

The CHAIRMAN: I have already more than once, in answer to appeals that have been made to me, pointed out that I could not decide that a reference to the grant to Maynooth, the *Regium Donum*, and the other matters in this Resolution, conditional upon the Resolutions connected with the Irish Church, were beyond the purview and duties of this Committee. But I did venture to point out that it was a matter for the consideration of the Committee, whether an Instruction upon such questions was within the spirit of the Reference made by the House to the Committee. I venture to think, though I cannot pronounce, the Amendment of the hon. Member for Bedford (Mr. Whitbread), moved as it is upon a Resolution which I cannot hold to be out of order, to be itself out of order. That Amendment is a further illustration of the inconvenience of discussing, in a Committee on the Acts relating to the Irish Church, subjects which are not strictly within the terms of the Reference.

Mr. AYTOUN said, he was not willing to withdraw his Resolution; but, as there was a difference of opinion on the subject among some of his Friends, he proposed to amend it by leaving out the words, "or any State Funds whatever," and also the words "Roman Catholic" at the end of the Resolution, and inserting other words, so as to make it apply generally to "other religious bodies," and to the maintenance of any "denominational schools."

The CHAIRMAN said that, when the hon. Member for Bedford moved his Amendment, the Question to be put from the Chair became this—"That the words proposed to be left out stand part of the Question." Until the opinion of the Committee was taken on that issue, it would not be competent to the hon. Member for Kirkcaldy to move to amend the words of his Resolution.

Mr. PIM said, he objected to both the Resolution and the Amendment. There was nothing about disendowment or secularization in the Resolution which the House had adopted. There was no parallelism between the endowments of the Established Church and the grant to Maynooth, so that the continuance of the one should depend on that of the other. There was a parallelism as respects the *Regium Donum;* but the grant to Maynooth must be compared, not with the endowments of the Established Church, but with the endowments for the education of the Protestant clergy in Trinity College.

MR. FAWCETT wished to know, whether it would be competent for the hon. Member for Kirkcaldy, in the event of the Amendment of the hon. Member for Bedford (Mr. Whitbread) being lost, to alter his Resolution as he had proposed? The answer would probably affect the votes of many hon. Members, who might be inclined to support the Resolution in its altered form, though they were indisposed to agree to it as originally proposed.

THE CHAIRMAN: The Question which has been put from the Chair is—"That the words proposed to be left out stand part of the proposed Resolution." If this be affirmed, the hon. Member for Kirkcaldy has no power to alter it.

Question put, "That the words proposed to be left out stand part of the proposed Resolution."

The Committee *divided*:—Ayes 85; Noes 198: Majority 113.

Question proposed,

"That the words 'when legislative effect shall have been given to the First Resolution of this Committee respecting the Established Church of Ireland, it is right and necessary that the Grant to Maynooth and the Regium Donum be discontinued' be added,"

—instead thereof.

MR. LAMONT rose to move to add the following words:—

"And that no part of the secularized funds of the Anglican Church be applied in any way or in any form to the endowment or furtherance of the Roman Catholic religion or any other religious body in Ireland; or to the establishment or maintenance of any denominational schools or colleges."

THE CHAIRMAN said, the Question was, that the words moved by the hon. Member for Bedford (Mr. Whitbread) be here added. The hon. Member for Buteshire (Mr. Lamont), however, has moved words which are substantially the same as the words of the original Resolution; therefore, the Question I have to put is, "That these words"—namely, the words moved by the hon. Member for Bedford—"be here added."

MR. GLADSTONE proposed to add a few words, which he believed would be accepted on all sides, "due regard being had to personal interests." He said it was with the greatest regret he had seen a Motion introduced, the subject-matter of which was of a kind to make it doubtful whether it were really within the spirit of the Reference to the Committee. In the most explicit manner he owned that it was to him quite a question for consideration whether it would not have been wiser to have reported Progress, and to have reported to the House the Resolutions passed in this Committee, and then had the Reference to the Committee on the Maynooth Grant framed in such a way that a Resolution like this might have been originally passed. He should not, however, press that point now. As to the Resolution itself, he could not object to what exactly corresponded with his own repeated declarations. It amounted to this. The Committee were dealing with a very great subject to which there were minor accessories, and the Resolution was simply to the effect that those minor accessories should be dealt with in the same manner as the main subject. He concluded by moving the addition of the words, "due regard being had to personal interests."

Amendment proposed to the said proposed Amendment, by adding the words "due regard being had to all personal interests."—(*Mr. Gladstone.*)

MR. DARBY GRIFFITH wished to know the meaning of the words proposed by the right hon. Gentleman. The Resolution condemned the Maynooth Grant; but was it intended to continue that establishment in spite of the Resolution? Was Maynooth College, being a corporate body, to be kept up as long as the last Professor there happened to live? If so, he doubted very much whether the course proposed would meet the approval of the Scotch and Dissenting Members. He trusted the right hon. Gentleman would make a clear explanation of the exact meaning of the Amendment.

MR. WHALLEY hoped the right hon. Gentleman would not insist upon the addition of the words, which would merely involve the whole question in doubt. He had voted on this question on the principle of fair play and "free trade;" and if the right hon. Member for South Lancashire was not going to prosecute his great work upon that principle, he had not suggested any other. The House and the country were waiting to know on what principle the measure was to be based; and the great difficulty of the right hon. Gentleman would be to induce the country to go much further with him until he had been more definite as to his intentions.

THE ATTORNEY GENERAL FOR IRELAND (Mr. WARREN) said, that the Committee, before accepting this Resolution, ought to insist upon having a clear notion of what its meaning was. Resolutions had been passed with, they were told, a view to legislation. He wished to know what legislation the right hon. Gentleman meant to found upon this Resolution. What were the existing personal interests which were to be preserved? Were they those of the professors and students at Maynooth? Was it, however, not a delusion to introduce these words into the Resolution; and were they not words which had no meaning whatever?

MR. AYRTON said, he did not wish to discuss the merits of the Motion further than to say that, as he had always opposed the Maynooth Grant and the *Regium Donum*, he could have no difficulty in voting for it, except that it might possibly have the effect of postponing a decision of the question to a distant day. The Committee had been discussing and deciding a very important question in the absence of the whole of Her Majesty's Ministers. From the gravity of the Question put from the Chair, he should have expected that, before the division, some Member of the Government would have risen to address the Committee and to explain the views of the Ministers. It was always pleasant to Members of the House to find there was what was called conventionally a Leader of the House. There was, as they all knew, a Leader of the Opposition, and it was always pleasant to have the Leader of the House present when great questions were being submitted for decision. As Ministers had not been present to take part in the important division, he was afraid they had not returned to hear the admirable views expressed from the Chair and the suggestion made by the Chairman for the consideration of the Committee. It was that it might be desirable not to depart further and further from the recognized and ordinary usage of Committees of this character. When he first addressed the Chair on the point of Order he did not rely upon it; he extended his inquiry to the question of usage and convenience. The Chairman had suggested, for the consideration of the Committee, the expediency of not enlarging the scope of the Committee's deliberations, so as to include new topics which were not necessarily identified with the subject referred to the Committee. He was anxious to know what were the views of Her Majesty's Ministers with reference to that suggestion, and also upon the substantive proposition before the Committee. Before coming to a final decision upon this proposition the Committee might be assisted by the expression of the views of the Government.

MR. KENDALL thought that while Gentlemen opposite were quarrelling amongst themselves, they ought to feel very much obliged to the First Minister for absenting himself. The question before the House was a very simple one, though the right hon. Gentleman (Mr. Gladstone) had a way of mystifying things that he (Mr. Kendall) had really to shake himself before he could be certain what the actual state of the case was. The question was, would they pledge themselves not to apply the proceeds of the Irish Church property to the endowment of the Roman Catholic religion? He did not wonder that Gentlemen who were doing so dishonest a thing as to rob a Church should wish to shy that question; but the country would understand what it all meant.

MR. NEWDEGATE understood the words to mean the preservation of the existing interests of the president and students at Maynooth and also the *Regium Donum*. He hoped the hon. Member for Peterborough (Mr. Whalley) would not go about saying that he (Mr. Newdegate) voted for the Maynooth Grant. By stopping short in the Amendment of the hon. Member for Kirkcaldy (Mr. Aytoun) they reserved a power of applying every shilling obtained by the disendowment of the Irish Church to Roman Catholic purposes. If it was not intended to endow the Roman Catholic Church out of the spoils of the Protestant Church, why did not they say so? He regretted that Ministers had been absent during the discussion, and that any ambiguity should be allowed to exist on the subject.

MR. J. STUART MILL: The hon. Member for North Warwickshire (Mr. Newdegate) has stated that we, who sit on this side of the House, have by the vote we have just given, declared that we intend to retain the power of bestowing the whole or part of the property taken from the Irish Church upon the Roman Catholic body. For myself, and I know for a great portion of those who surround me, I utterly deny that statement. I will resist to the utmost of my power any proposal for giving one farthing of the property to the Roman Catholic or to any other religious body in any shape whatever. I had no motive whatever in voting against the Motion of the hon. Member for Kirkcaldy (Mr. Aytoun), except that it had been declared by you, Sir, not properly to come within the spirit of the Reference to the Committee; and also because it had been declared to be contrary to the Orders of the House—very strangely, I think—for the hon. Gentleman to alter his Resolution from a form in which I could not vote for it, to one in which I could have done so.

MR. DISRAELI: As I re-entered the House I heard some comments being made upon the duties of the Leader of the House. The duties and the privileges of the Leader of the House are very considerable; but I think they ought to be exercised with moderation, and, perhaps I may presume to say, with some degree of modesty. If I were to take every opportunity of speaking upon every subject, and were to thrust myself forward against the view of the House, in order to give them my opinions upon every possible topic, perhaps I should by so doing not altogether fulfil the duties of the Leader of the House, and should not retain the regard and respect of those among whom I sit. I have no doubt that when the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) has arrived at the position of Leader of the House, this House will find in him a more rigid regulator of their destinies than they have in the Gentleman who now humbly endeavours to fulfil the duties which it falls upon him to discharge. With regard to the point before the House, I can only say that I entirely oppose the policy of the right hon. Gentleman the Member for South Lancashire. I am against the disestablishment of the Church in Ireland. What has recently occurred has amounted to what I have always contemplated would take place, and what will be repeated. There has been a quarrel for the plunder among the hon. Gentlemen opposite, and I do not think that it was my duty to give an opinion upon such a subject. With regard to the particular Motion before the Committee—that of the hon. Member for Kirkcaldy—had the important principles which it in some degree involves been placed simply and plainly before the House, I should not have shrunk from discussing them, or from giving my opinion upon them; but those principles are mixed up in this Motion with details of an impracticable character, which, if we had agreed to, would have disturbed arrangements of a very ancient date in this country, and which the public had long recognized as conducing to the convenience of the country. Therefore I was silent. I must say with regard to the observations of the hon. and learned Member for the Tower Hamlets, that I am still of opinion that the manner in which I attempt to perform my duties as Leader of this House is preferable to that ideal which, on several occasions, he has offered to the admiration of this Assembly.

MR. GLADSTONE: I am not about to defend the hon. and learned Member for the Tower Hamlets, who is perfectly capable of holding his own, neither am I about to discuss at large the conduct of Her Majesty's Government to-night. But if I do not proceed to discuss that conduct at the present moment, it is because I do not think that it is desirable to mix up that subject with the one before us, which is already sufficiently difficult and intricate. I must say, however, that I do not think that the right hon. Gentleman has been successful in the explanation he has given. The right hon. Gentleman says that the Motion of the hon. Member for Kirckaldy would, if carried, have disturbed, in a remarkable manner, the arrangements of a very ancient date, in consequence of the mode in which it was drawn up, and notwithstanding this assertion the Minister did not choose to record his vote against it. With the whole of his Colleagues, he left the House, seeking refuge in that small apartment which is appropriated to him. His absence has reminded me of one of his many witty sayings. At the time when my noble Friend (Earl Russell) was Paymaster General, the accommodation of his office was very limited, and the right hon. Gentleman said, "I object to the system of shutting up great men in small rooms." Upon this occasion we have had a most complete exemplification of the system of shutting up in a small room, not one, but many great men, and under circumstances which it may, perhaps, be proper at some future period to enter into. In answer to the hon. Member for Devizes (Mr. Darby Griffith), I must inform him that I am not responsible for the Resolution which is about to be adopted. I have no difficulty —except the formal one I have already mentioned—in acceding to it; but I am not its author. It appears to me that the time has now arrived when it would be satisfactory to the Committee if the minor subjects connected with this question were stated with the same precision with which the major subjects have been stated; and that, therefore, we should make our meaning clear by applying to the minor subjects the very words which we have used with regard to major ones, so as to regard everything in the nature of a just personal interest.

MR. HORSMAN said, that the right hon. Gentleman (Mr. Disraeli) had not yet expressed any opinion with regard to the Question. It would, therefore, be desirable if, before the Committee came to a division, he would favour them with the views of Her Majesty's Government upon the subject.

Question, "That those words be there added," put, and *agreed to.*

MR. GREENE then proposed, as a further Amendment, to insert the words—

> "And that no part of the Endowments of the Anglican Church be applied to the endowment of the institutions of other religious communions."

This was a subject upon which he had been seriously challenged by his constituents. He had no desire to say a word against Roman Catholics; but he felt strongly that they should speak decidedly in the matter, although he must at the same time say that he thought the disendowment of the Irish Church—if it ever occurred—was a long way off.

Amendment proposed to the said proposed Amendment, as amended, by adding the words—

> "And that no part of the Endowments of the Anglican Church be applied to the endowment of the institutions of other religious communions."—(*Mr. Greene.*)

Question proposed, "That those words be added to the said proposed Amendment, as amended."

MR. WHITBREAD wished to know, whether the Amendment proposed by the last speaker was not out of order, as being substantially the same as that of the hon. Member for Buteshire (Mr. Lamont)?

THE CHAIRMAN said, that there was an obvious difference between the two Amendments, seeing that one proposed to prohibit the application of any part of the funds of the Anglican Church to the Roman Catholics, whereas that now proposed proposed to prohibit their application to any institutions of other religious communities.

MR. BRIGHT: I think it is a great misfortune that a question of this difficulty and perplexity should be brought before the House in this way. I think that the hon. Member opposite and myself hold very much the same opinions upon this subject; but I object to the word "institutions," as contained in his Amendment, as being a very wide one. I do not know what it includes or what it excludes according to the interpretation of the hon. Member; but I think it is sufficiently wide to include schools. I objected to the Motion of the hon. Member for Kirkcaldy very much on the ground that it would prevent any sum of money obtained by the disendowment of the Anglican Church in Ireland or any portion of the State funds being applied to any denominational schools in Ireland. I said that, in Ireland, it was utterly impossible to have schools which were not denominational, and therefore I was unwilling to vote for a proposition so wide, and, as I thought, so injudicious. The same thing is proposed to be done by the present Amendment, and therefore I cannot vote for it. If any hon. Member is desirous of proposing any Resolution or Amendment upon this subject, he should take care that his Motion should be couched in terms which are not liable to be misunderstood, and will include just what he intends to be included and will exclude just what he intends shall be excluded. When Amendments are brought forward in this hasty way it is absolutely impossible for the Committee to discuss them with satisfaction. If the right hon. Gentleman opposite had exercised his influence on his side of the House as the right hon. Member for South Lancashire has done on this side, we should have settled this difficult matter long ago, and the Resolutions would before this have been reported to the House. I hope the hon. Gentleman, seeing the difficulty which I have raised, and which I think he will not easily meet, without further consideration, will withdraw his Amendment.

MR. GLADSTONE: I am persuaded that hon. Members are desirous of giving to every Member a fair opportunity for considering any proposition which he has to make, and I would point to him that he cannot, and I feel almost persuaded that he will not expect us to bind ourselves to the terms of that which he regards as a vital and fundamental proposition on one of the greatest national settlements or unsettlements—call it which you like—ever proposed, without our having first seen the words of the Amendment — without our knowing exactly what they are, and of our being compelled to ask you, Sir, to read the words over and over again as we proceed to discuss them. I therefore ask that these words might be distinctly put before us in print before we are called upon to discuss them—that they should be printed in the Votes, in order that we may have an opportunity of fully considering them. That course, I feel convinced, will commend itself to every Member of this Committee.

SIR STAFFORD NORTHCOTE: There is one expression which has just fallen from my right hon. Friend which exactly touches the point. He first spoke of this as a great national settlement, and then immediately corrected himself by saying it was a great national unsettlement.

MR. GLADSTONE: I said no such thing. I did not want to be interrupted by my right hon. Friend and others of his mind, and to avoid it I said "unsettlement," knowing the view he takes of the question.

SIR STAFFORD NORTHCOTE: Precisely so. The question before the Committee is the settlement or the unsettlement of the Irish Church. If it is to be a settlement of the question we ought to know what is to be done with the funds of the Church; and, if the object is to be unsettlement, it is an unstatesmanlike proceeding which we were told before was a desire to be in a position the better to settle it. It is hardly to be wondered at now that we have arrived at this point, that hon. Members who now begin to see the practical bearing of these Resolutions should begin to ask some questions, so as to endeavour to arrive at a clear conclusion as to what it is that is really to be done. It may be necessary to take a little further time to consider this Resolution. As the Amendments grow out of that which has already been passed. I do not see that any reproach attaches to those hon. Members who have been called on to consider Resolutions for the disestablishment of the Irish Church, for putting forward Amendments on which to test the sense of the Committee.

MR. GLADSTONE: Considering that the right hon. Baronet rose to reply to me I take the liberty of saying that he has not attacked one word that I said. I cast no reproach on the hon. Gentleman for proposing this Amendment; but I merely asked for time to consider it. And the demand for time is so equitable that even the right hon. Baronet cannot decline to recommend it. I ought to recollect that the right hon. Gentleman's mind must be filled with the questions which he gave us distinct intimation he had within him, and which he intended to propose in Committee. He said he would oppose the first Resolution; if that was carried he would oppose the second Resolution; and after the second he would oppose the third Resolution; but the political exigencies came upon him which made the redemption of those pledges inconvenient, and we need not be surprised if a little of his pent-up matter has irregularly spent itself.

SIR JAMES FERGUSSON: The right hon. Gentleman (Mr. Gladstone) complains that there is a disposition on the Ministerial side of the House to support Amendments not previously placed on the Paper; but is he not going to support the Amendment of the hon. Member for Bedford (Mr. Whitbread) which has not been put on the Paper, and which was only placed in the Chairman's hands, in writing, a few minutes since? Allow me to point out also that, by the course adopted, the hon. Member for Kirkcaldy (Mr. Aytoun) has been precluded from altering his Resolution in a manner that would have commanded the support of the hon. Members for Brighton and Westminster (Mr. Fawcett and Mr. Stuart Mill). It does not, therefore, lie in the right hon. Gentleman's mouth to tell the hon. Member that he is improperly seeking to ask the Committee to vote upon an important Amendment that has not been placed on the Paper. It is of the greatest importance that the Committee should be pledged on this point if we are to deal with the revenues of the Established Church in Ireland; because the right hon. Gentleman the Member for Louth (Mr. Chichester Fortescue), who filled the important office of Chief Secretary for Ireland told them, in an elaborate speech which he delivered the year before last, that the revenues of the Irish Church ought to be divided amongst other religious communities.

SIR GEORGE GREY: I thought, from what the right hon. Gentleman the first Minister of the Crown stated early in the evening, that it was the desire of the Government to avoid discussion on the main subject in order that the evening might be devoted to the progress of business which it was essential should be transacted; but the conduct of the Government during the last two hours has entirely negatived that supposition. I have no reason to complain of the general way in which the right hon. Gentleman conducts the business of the House; but with all due deference to him, one of his duties is to support the Chairman. A Resolution was moved to-night and an objection was taken in point of form to its being proceeded with, because it did not fall within the terms of Reference. The Chairman stated very fairly that he had some doubt whether it fell strictly within the terms, but it was certainly contrary to the spirit of the Reference. Now, if the right hon. Gentleman, instead of withdrawing with his Colleagues from the House and leaving it to find its own way through the difficulty that had arisen, had supported the Chair, and advised hon. Members not to enter on discussions which did not come within the spirit of the Reference, much time would have been saved, and we should have been spared the exhibition that has just taken place. Instead of that a Member of the Government stood up and stated that he intended to support the Resolution; and not one syllable was uttered in opposition to the hon. Baronet the Member for Ayrshire (Sir James Fergusson), and when the Amendment of the hon. Member for Bedford (Mr. Whitbread) was put every Member of the Government withdrew. I have listened with great attention to the discussion that has taken place, and I am the more and more convinced that if we had taken the advice of the Chairman, and declined to continue the discussion, as not being within the spirit of the Order of Reference, we should have avoided embarrassing the Committee, and the progress of business. We are discussing a question that can have no practical effect in the present Parliament, with a view to legislation. We are called on to deal with a mere abstract Resolution, which cannot in the slightest degree be binding on the future Parliament. With regard to the question of Notice, I must say that that part of the Resolution which embodies the Motion of the right hon. Member for Bedford has been on the Paper for some length of time, though it has been altered to make its intention perfectly clear. I would remind hon. Members who oppose the Maynooth Grant and the *Regium Donum*, that by what is now proposed they are giving a new lease to both; for what is proposed is practically saying that until you disendow the Irish Church the Maynooth Grant and the *Regium Donum* shall continue.

MR. DISRAELI: The right hon. Baronet has, unfortunately for us, been for a long time absent from our discussions, and that is really the only way in which I can account for the wild observations he has just made. He has made charges against me which I am sure the Committee, after calmly considering, will say are without foundation. ["Oh, oh!"] Now, I beg to say that those sounds I hear are neither logic nor language. The right hon. Baronet first accuses the Government, so far as I can follow him, with preventing the Committee from coming to a conclusion on the Resolutions proposed by the right hon. Gentleman the Member for South Lancashire. Now, I thought that, so far as I could control the business of the House, that I had come to a clear understanding with the right hon. Gentleman, that so far as I could influence the conduct of my Friends, without in the slightest degree compromising their political action, that the course of business should be facilitated; and with reference to that there is not the slightest charge that can be made against me. The right hon. Baronet accuses me with sanctioning Amendments from this side of the House; but that is not so. They have come from Members on the other side of the House, and that fact must surely have occurred to the right hon. Baronet when he was making charges which have no foundation. The right hon. Gentleman says I ought to have been present and supported the Chairman in his decision against the Amendment. Now, I was in my place, yielding to the decision of the Chairman, as I always do to the decisions of the authorities of this House. I must frankly confess—though no doubt I was wrong—I did not agree with the Chairman; still the decision of the Chairman permitted the discussion of the Amendment of the hon. Member for Kirkcaldy, and it was not for me to question it. I am not responsible for the Amendments that have been made, because they come from the other side of the House, and I am not guilty of not having supported the Chairman. He, no doubt, gave an opinion which he thought right, but with which I do not agree, and I must say that it is no part of the duty of a Leader of the House of Commons to prevent the independent expression of opinion. Both sides of the House will not agree in the reflection of misconduct on my part, and will be of opinion that the observations of the right hon. Baronet are unfounded and uncalled for.

MR. POWELL said, that whatever might be the result of this conversation, it had cast a broad light upon previous discussions respecting the Irish Church, and had shown that the further they advanced the greater were the difficulties in the way. There were various modes of conducting public proceedings, and the plan pursued by the right hon. Member for South Lancashire was to carry his Resolutions and then withdraw the explanations which had accompanied and recommended his Resolutions. The explanations which the right hon. Gentleman had given had illustrated his meaning, and he had shadowed forth with more or less fulness various schemes. They had a denunciation of levelling up and a commendation of levelling down, and they had been told what portions of the Irish Church property should be retained and what would be required for other than existing interests. When, however, the Committee proceeded to carry into effect the spirit of the explanations by which the Resolutions were accompanied, then a different voice came from the other side, and they were told that they were not to proceed any further. If they disestablished the Irish Church they must disendow her, and they must also deal in a corresponding manner with the grant to Maynooth and the *Regium Donum*. He was one of those who had never given a vote on the Maynooth question; but if the Irish Church was to be deprived of its revenues, then the question of Maynooth must be gone into, and, much as he should regret that the Presbyterians should lose their annual grant, the lesser must share the affliction of the larger denomination. Having passed these Resolutions it was plain that our difficulties had not come to an end. In fact, they had not yet been discovered, and as the House went into the details of the disestablishment of the Church they would find their difficulties increase and their embarrassments multiply.

MR. DARBY GRIFFITH said, this was the first real and substantial *bonâ fide* discussion which they had had on the subject of disestablishment, for it had really brought out the merits of the question for the first time. It may be said that this was an attempt to obtain an indefinite and abstract Resolution by impulsive speeches, and to obtain powers over the funds of the Church without the House or the country knowing what was to be done with them. The right hon. Gentleman (Mr. Gladstone) had declined to intimate anything with any certainty on the subject. Who knew what was meant to be done? He had spoken of retaining the churches and the glebes for the Protestant Church. But how would that satisfy his followers who advocated total disendowment? Would the Gentlemen below the Gangway follow him in this? What distinction did he make between tithe and glebe? In some cases the glebes formed a large part of the income of the parsons; in others he spoke of tithes where there was scarcely any glebe. [MR. GLADSTONE: I never said anything of glebe.] Then the right hon. Gentleman probably drew a distinction between the glebe and the glebe-house; but how would he separate the house from the glebe? On each side he was led, unintentionally, of course, into an appearance of disingenuousness. The right hon. Gentleman had given a sound of so uncertain a character that his supporters outside the House would to-morrow, when they read the debate, find themselves in a very anomalous position. They would see that the right hon. Gentleman, having taken away the revenues of the Established Church, still retained in his hands the power of distributing them among other denominations. The hon. Member for Westminster (Mr. Stuart Mill) had just said that, if the funds of the Church were to be applied to the endowment of the Roman Catholics he would have voted against the Resolutions. The hon. Member was equally in error on the point of Order. He supported that part of the Amendment of the hon. Member for Kirkcaldy which the Chairman said was out of order; but he felt a difficulty in supporting that which was in order. In fact the hon. Gentleman appeared to have been entrapped, by the course which this discussion had taken, into supporting a proposition, the tendency and results of which he did not approve.

MR. SCOURFIELD said, that the House was landed in a confusion which was becoming still more confused already. He had always abstained from saying or doing anything which might excite religious animosity, and had always voted for the continuance of the Maynooth Grant, though opposed to the wishes of the constituency which he represented. There were two modes of disturbing the religious peace of a country—the one was by transferring the Church revenues from one denomination to another, the other by levelling downwards. But he contended that there was a third and better course for the House to follow, and that was to have a religion established which would exercise a perfect toleration towards other religions. That was the best arrangement for the preservation of religious peace. But now they were beginning to quarrel over the spoils. His idea was that, if there was money to be had out of the Irish Church the lawyers and Commissioners would get the greater part of it. And, after all, how much did this money amount to? If he was not mistaken, it was only £447,000 a year, of which £380,000 alone was devoted to parochial endowments. But, in order to show how small a sum that was, whether absolutely or relatively, he would remind the Committee that the cost of the printing and stationery for Parliament this year was estimated at £395,000. He hoped, therefore that, in whatever spirit they discussed the question, it would not have reference to money. He had also a great objection to the use of the word "doomed." He could not bear to hear people speak, as if they were Pagans, about things being "doomed."

Mr. HIBBERT appealed to the hon. Member (Mr. Greene) to withdraw his Amendment. ["No, no!"] He begged to direct the hon. Gentleman's attention to this fact, that whatever words he might introduce into the Resolution, or whatever Resolutions might be passed by that House, it was the next Parliament that would have to say what was to be done.

Mr. SCHREIBER said, he hoped his hon. Friend would not comply with the request of the hon. Member, as his Amendment would have exactly the same force as the Resolutions of the right hon. Gentleman, which might express the opinion of the existing Parliament, but could not pretend to bind that which was to come. He remembered in the Session of 1866, when the right hon. Gentleman, at that time the Leader of the House, had not thought it inconsistent with his position to say of those sitting on the opposite Benches that they had exhibited "a perfect mastery of the arts of ambush." The time had come when he might retort, and congratulate the right hon. Gentleman upon his perfect mastery of the "arts of ambush." Now, when some one came behind him stealthily, and in the dark, and tried to stab him in the back, he would catch at the first weapon that came to his hand and try to knock him down with it. The Amendment of his hon. Friend was suddenly presented to him: he caught at it in his need, and would use it against the Resolutions of the right hon. Gentleman.

Mr. GREENE said, that if there was a Gentleman to whose appeal he would yield it would be the hon. Member for Oldham (Mr. Hibbert), and if he had thought with the right hon. Gentleman the Member for South Lancashire no party ties would have prevented him from supporting the Resolutions. The Motion of the hon. Member for Kirkcaldy (Mr. Aytoun) had been objected to on the ground that it was pointed against one sect; but his (Mr. Greene's) Amendment was wide enough for all. As to this discussion being unexpected—who expected at the opening of the Session to be called upon to vote on the disestablishment of the Irish Church? Indeed, he challenged a single Member to say that he was asked a question on his election about the Irish Church. He much regretted that this had been made a party question, and he said this out of no disrespect to the right hon. Gentleman (Mr. Gladstone), to whom he was much indebted for being known at all in the House, for the right hon. Gentleman, on a former occasion, challenged him to speak. He felt bound to press his Amendment.

Mr. HERBERT remarked, that on his election, he was questioned respecting the Irish Church, and gave a decided opinion upon it.

Mr. NEWDEGATE hoped the Amendment would be pressed, since the division upon it would be a test of the feeling of the Committee; but if the question had come upon Members by surprise the debate should be adjourned.

Mr. WHALLEY, regarding the Amendment as a crucial test, moved that the Chairman report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." — (*Mr. Whalley.*)

Mr. DISRAELI hoped a decision would be at once arrived at, for, considering the state of public business, adjourned debates ought to be discouraged.

Motion, by leave, *withdrawn.*

Question put, "That those words be added to the said proposed Amendment, as amended."

The Committee *divided*:—

Before the Tellers reported the numbers, Mr. Holden, Member for Knaresborough, came to the Table and stated that he had been in the House when the Question was put, but not having heard it he had not voted:—Whereupon the Chairman again stated the Question, and the Honourable Member declared himself with the Ayes:—Ayes 97; Noes 132: Majority 35.

Question,

"That the words 'when legislative effect shall have been given to the First Resolution of this Committee respecting the Established Church of Ireland, it is right and necessary that the Grant to Maynooth and the Regium Donum be discontinued, due regard being had to all personal interests,' be added to the word 'That' in the Original Question,"

—put, and *agreed to.*

4. *Resolved,* That when legislative effect shall have been given to the First Resolution of this Committee, respecting the Established Church of Ireland, it is right and necessary that the Grant to Maynooth and the Regium Donum be discontinued, due regard being had to all personal interests.

Resolutions to be reported.

MR. GLADSTONE moved that the Chairman report the Resolutions to the House.

MR. DISRAELI: Sir, I do not rise to oppose the reporting of these Resolutions; but I think that what has occurred to-night will indicate to the House what will occur in future, and will show the country that those who have introduced these Resolutions to the House have only introduced into this country the elements of confusion.

MR. BRIGHT: Mr. Dodson, I am not aware, Sir, that anything has been said which could have afforded the right hon. Gentleman the opportunity of which he has availed himself of firing a parting shot against the Resolutions. But the proposition of the right hon. Gentleman himself, as shadowed forth by his Irish Minister, was that he should pay the Roman Catholic clergy of Ireland, and that he should increase or double the *Regium Donum.* I think the right hon. Gentleman may learn, from what has passed to-night, how small a chance he would have had in this House of passing a measure for the endowment of the Roman Catholic clergy. If he had brought that question fairly before the House, possibly he would not have made very great confusion, for in all probability he would not have been able to induce ten men of his own party to follow him. At any rate, so far as we are concerned, we have taken an opposite course. A large majority of the House—the largest that has ever voted on any great question since 1841—has sanctioned the Resolutions that have been introduced by the right hon. Gentleman the Member for South Lancashire. And we find that, notwithstanding a good many Archbishops and Bishops—I am not familiar with all the gradations of dignity in the Established Church, but deans, rectors, vicars, curates, and other clergymen of every order—notwithstanding they have met and made a general protest against the policy that has been pursued by the House, yet I suspect—although there are many honest people throughout the country who would support them—the great preponderating opinion of the people of the United Kingdom will be in favour of the course which the majority of this House has adopted. I will undertake to say that, apart from the prejudices and convictions that arise from association and training in a particular Church, you will find few thoughtful men on public questions in this kingdom who are not in favour of the great measure of justice to Ireland which we are endeavouring to advance. There is no man on either side of this House who will undertake to say that he will find any men, by any species of selection or any microscopic investigation in any country in the world, who have a claim to intelligence and knowledge on public questions, who would not give their sanction and approval to the policy which the House has pursued. Sir, I am as much interested in the peace and prosperity of Ireland and of the United Kingdom as any Gentleman on the opposite side of the House can be, and I have for more than twenty years taken a strong interest in Irish questions. I have deplored the condition of that country. I have felt it to be a scandal to English statesmanship. I have said so here often and often. I have held consistently for twenty years the conviction which the right hon. Gentleman at the head of the Government himself held then, and which, if it were possible now to put him under an accurate examination from which he could not flinch, he would be obliged to say that he holds now; because, on a recent occasion, he admitted that the main sentiment of that speech which he delivered twenty-five years ago was right. But I am in a different position from the right hon. Gentleman. I have not been endeavouring to climb the ladder of Parliamentary promotion and notoriety. ["Oh!"] No, Sir, I have only had the single object—so far as I have had anything to do with Irish questions—to promote what appeared to be just to that country, and which would tend to the advantage of the United Kingdom. The right hon. Gentleman the other night, with a mixture of pompousness and sometimes of servility talked at large of the interviews which he had had with his Sovereign. I venture to say that a Minister who deceives his Sovereign is as guilty as the conspirator who would dethrone her. [" Oh ! "] I do not charge the right hon. Gentleman with deceiving his Sovereign ; but if he has not changed the opinion which he held twenty-five years ago, and which he has said in the main was right, then I fear that he has not stated all that it was his duty to state in the interviews which he had with his Sovereign. Let me tell hon. Gentleman opposite, and the right hon. Gentleman in particular, that any man in this country who puts the Sovereign in the front of a great struggle like this into which it may be we are about to enter—who points to the Irish people, and says from the floor of this House — " Your Queen holds the flag under which we, the enemies of religious equality and justice to Ireland, are marshalled "—I say that the Minister who does that is guilty of a very high crime and a great misdemeanour against his Sovereign and against his country. And there is no honour, and there is no reputation, there is no glory, there is no future name that any Minister can gain by conduct like this that will acquit him to posterity of one of the most grievous offences against his country which a Prime Minister can possibly commit.

Lord JOHN MANNERS : The hon. Gentleman the Member for Birmingham (Mr. Bright) is in the habit of praising his own patriotism, his own virtue, and self-denial ; but, Sir, I think that when the hon. Gentleman relieves his mind with reference to those virtues which he thinks he possesses, he might have allowed to others some portion of those virtues which he ascribes to himself. And when the hon. Gentleman interprets, or rather misinterprets, the language in which the Prime Minister communicated to the House his interviews with the Sovereign, I, for one, cannot forbear to remind this Committee that the time at which those observations ought to have been made has long since passed. It is obvious that the observations with which we have just been favoured by the hon. Member for Birmingham were carefully prepared to suit that occasion, and had no relevancy to the occasion on which they were made. Sir, the hon. Gentleman says that the discussion and the vote of this evening will show to the Government that the scheme which he says—but which I certainly was not aware—had been shadowed forth at an earlier part of the Session for the endowment of the Roman Catholic Church will find no favour in the House. [" Oh ! "] Well, I think the House will recollect what was the decision at which the Committee has just arrived, and how the hon. Member for Birmingham voted upon it. The Amendment moved by my hon. Friend the Member for Bury St. Edmunds (Mr. Greene) was a Motion which would, as far as any Resolution of this House could do, put it out of the power of the Members who took part in it to vote any portion of the funds of the Irish Church to the sustentation of any other religious communion. How did the hon. Gentleman the Member for Birmingham vote on that occasion ? He voted against the Amendment, and therefore he voted in favour of reserving to himself the power to vote hereafter any portion of the funds of the Irish Church to the sustentation of the Roman Catholic Church. [" Oh ! "] That is the absolute fact of the matter ; and, inviting public attention to that fact, I leave the issue with the greatest confidence in the hands of the House and the country.

Mr. GLADSTONE : I am extremely sorry, Sir, that the right hon. Gentleman at the head of the Government has thought fit to provoke this discussion. We have been busied to-night upon practical matters ; and, although towards the close of the evening we came upon subjects necessarily exciting some feeling, yet it was much to have been desired that we should have kept off the ground of mere party recrimination; and, undoubtedly, it is unfortunate that those who continually reproach us—a reproach which we, the majority, have, I think, borne with some patience—with having no motive in this great cause excepting that of our own party advancement, could not suffer the formal Motion, Sir, which I submitted to you to pass without using language in regard to the votes arrived at deliberately by a great majority of this House, of which I will not say whether it is respectful or not to the House, but I will say that I never heard such language used by a Prime Minister. And then, Sir, after my hon. Friend the Member for Birmingham (Mr. Bright) had felt himself unable to forego a protest against that language, the noble Lord the First Commissioner of Works (Lord John

Manners) rises in his place and confesses to an innocent forgetfulness of the plans which the Government shadowed forth for concurrent endowment in Ireland. The noble Lord knows nothing of them, he never even heard of them; they were never mentioned, I suppose, in the Cabinet; and that compels me to refresh his memory with the words which have not perhaps been supplied to him by the noble Earl (the Earl of Mayo) who sits next to him. I suppose the noble Lord knew nothing of the intentions of the Government at the time, when that noble Earl rose in his place and on behalf of the noble Lord and in the name of the noble Lord no less than in that of any other Member of the Cabinet, not in declaring his own opinion, not in dealing merely with the affairs of his own Department, but in redeeming a formal pledge given in both Houses of Parliament that he (the Earl of Mayo), should declare the unanimous judgment and opinion of the Cabinet, used these words, of which the noble Lord the First Commissioner of Works has not, forsooth, the slightest idea—

> "There would not, I believe, be any objection to make all Churches equal; but this result must be secured by elevation, and not by confiscation."

And, Sir, upon this occasion I enjoy a rare advantage; for it is not often permitted to a humble Member of the Opposition to enlighten a Cabinet Minister as to the intentions of his own Colleagues, which have been declared in his name and in his hearing. So much, Sir, for that part of the noble Lord's speech. And now I come to his truly candid representation of the vote at which we have just arrived; and I think I shall contrive to put upon it a colour different from that which the noble Lord has attached to it. We have just voted, Sir, that we would not add, to a proposal that was before the House, words which forbade us to give any portion of any money that might be realized from the property of the Church in Ireland to any institution connected with any religious communion whatever. That is to say that, if there were a school in Ireland under the patronage and guidance of a particular religious community, to that school—and I believe even its mere connection with a religious communion, even if it did not teach their tenets, would have been enough to bring it under the prohibition—to that school we should be forbidden to vote a single shilling. But what would have been the case of the Established Church? And now we shall see the dispassionate impartiality of the noble Lord. We have passed a vote with regard to the Established Church which excluded the word "disendow," because we have reserved to ourselves the power to deal liberally on every question of construction and interpretation as far as the Established Church is concerned. And then the noble Lord, having obtained from us our solemn pledge for that liberal mode of dealing in regard to the Established Church, endeavoured to obtain from us a vote by which, for every other body, the strictest and most iron application of this most rigorous rule should be secured, so that he should still be able in some form or other to maintain in Ireland his beloved religious inequality. And that was the system and method of proceeding against which my hon. Friend the Member for Birmingham, with the courage of an Englishman, recorded his fair and manly vote.

MR. DISRAELI: Sir, the right hon. Gentleman says that he heard from me language which had never before been used by a Prime Minister. Well, Sir, what was that language? I said—as a summary of the debate, the materials of which must be familiar to almost all now present—that when the Resolutions of the right hon. Gentleman were reported, it was my opinion that, from what had occurred to-night, we might judge what elements of confusion had been introduced into our proceedings. I will only say this, that if that be language which, under the circumstances, has never been used by a Prime Minister, a Prime Minister has never used for the occasion appropriate and sensible language. If anyone had been present at these debates, and had heard the various propositions that were made in consequence of the passing of the right hon. Gentleman's Resolutions, so contrary to one another, so considerable in their operation and in their influence, and indicating the opinion of various sections of this House, representing, I have no doubt faithfully, the opinion of large portions of the population of this country—I say, if anyone had been present, and had heard those propositions, and would not admit that they indicated the confusion of the public mind, in consequence of the right hon. Gentleman's proposals, he would refrain from making an admission which I am sure every frank and candid nature would willingly allow. More than this, I say that what has occurred to night is an indication of still further confusion on the subject; and I cannot doubt that long before we can arrive at anything like a settlement of this question, we shall have among the propositions made in this House — and made from different sides of the House — some that will much affect the present discipline and disposition of parties, because they will more faithfully reflect the conscience and the convictions of the country. Sir, I shall not condescend to notice at length the observations of the hon. Member for Birmingham. He says that when it was my duty to make a communication to the House, of the greatest importance, and which I certainly wished to make—as I hope I did make it—in a manner not unbecoming the occasion—I was at once "pompous and servile." Well, Sir, if it suits the heat of party acrimony to impute such qualities to me, any Gentleman may do so; but I am in the memory and in the feeling of Gentlemen on both sides of the House—and fortunately there are Gentlemen on both sides of this House—they will judge of the accuracy of this representation of my conduct. It is to their feeling and to their sentiment on both sides of the House that I must appeal; and no words of mine, if the charge be true, can vindicate me. The hon. Gentleman says that he willmake no charge against me—and then he makes insinuations which, if he believes, he ought to bring forth boldly as charges. I defy the hon. Member for Birmingham, notwithstanding his stale invective, to come down to this House and substantiate any charge of the kind which he has presumed only to insinuate. Let him prefer those charges; I will meet him; and I will appeal to the verdict only of Gentlemen who sit on the same side of the House as himself.

Mr. NEWDEGATE said, that he should not notice the observations of the hon. Member for Birmingham (Mr. Bright), nor the personalities which had been bandied about between the leading Members of the House. He desired to recall the attention of the Committee to the main issue—to the discovery of that night. From the statement last made by the right hon. Member for South Lancashire (Mr. Gladstone), it was clear that, in his opinion, the difference between the two parties was this—the right hon. Member for South Lancashire declared that Her Majesty's Government intended to endow the Roman Catholic Church and other denominations in Ireland, but not out of the property of the Irish Church. He (Mr. Newdegate) did not believe they had any such intention. This, however, was now clear: the right hon. Member for South Lancashire himself proposed to take the property of the Protestant Church, and to give it to the Roman Catholics. The right hon. Gentleman said that he had voted against the Amendment of the hon. Member for Bury St. Edmunds (Mr. Greene), because he might wish to apply part of the property of the Irish Church to denominational schools. There were schools in Ireland belonging to monastic and conventual establishments connected with the Church of Rome. It was probably for the purpose of endowing these Popish schools or establishments that the right hon. Gentleman sought to rob the Church of Ireland.

House *resumed.*

Colonel STUART KNOX rose, and asked Mr. Speaker whether, the last Resolution, as it stood, was within the scope of the Order of Reference which had been given to the Committee, the Resolution referring to other things besides the Established Church? He put the question because the Chairman seemed to have some doubt on the point.

Mr. SPEAKER begged to remind the hon. and gallant Gentleman that the Resolutions had not yet been reported to him.

The CHAIRMAN then brought up the Resolutions, and the first three were agreed to without comment.

On Question, "That the fourth and last Resolution be agreed to,"

Colonel STUART KNOX again appealed to the Speaker to say whether it came within the Order of Reference.

Mr. SPEAKER replied, that the Chairman of Committees was the proper judge of those matters which came under his notice while in Committee. He could not interfere with the decision of the Chairman at the suggestion of an individual Member. To authorize him to do so the Question must be brought before him by direction of the House.

Colonel STUART KNOX begged to move that the Question be raised, and that the Chairman be requested to state his opinion. ["No, no!"]

Resolutions *reported;*

1. "That it is necessary that the Established Church of Ireland should cease to exist as an

Establishment, due regard being had to all personal interests and to all individual rights of property."

2. "That, subject to the foregoing considerations, it is expedient to prevent the creation of new personal interests by the exercise of any public patronage, and to confine the operations of the Ecclesiastical Commissioners of Ireland to objects of immediate necessity, or such as involve individual rights, pending the final decision of Parliament."

3. "That an humble Address be presented to Her Majesty, humbly to pray that, with a view to preventing, by legislation during the present Session, the creation of new personal interests through the exercise of any public patronage, Her Majesty would be graciously pleased to place at the disposal of Parliament, Her interest in the temporalities of the Archbishoprics, Bishoprics, and other Ecclesiastical Dignities and Benefices in Ireland, and in the custody thereof."

4. "That when legislative effect shall have been given to the First Resolution of this Committee, respecting the Established Church of Ireland, it is right and necessary that the Grant to Maynooth and the Regium Donum be discontinued, due regard being had to all personal interests."

Resolutions *agreed to.*

*Resolved,* That an humble Address be presented to Her Majesty, humbly to pray that, with a view to preventing, by legislation during the present Session, the creation of new personal interests through the exercise of any public patronage, Her Majesty would be graciously pleased to place at the disposal of Parliament, Her interest in the temporalities of the Archbishoprics, Bishoprics, and other Ecclesiastical Dignities and Benefices in Ireland, and in the custody thereof.—(*Mr. Gladstone.*)

To be presented by Privy Councillors.

## REPRESENTATION OF THE PEOPLE (IRELAND) BILL.—[Bill 71.]

(*The Earl of Mayo, Mr. Disraeli, The Attorney General for Ireland.*)

### SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*The Earl of Mayo.*)

Mr. CHICHESTER FORTESCUE said, that he rose on his own part, and on the part of those who sat near him, to say that they had no intention of opposing the second reading of this Bill. At the same time, he wished to say that, in the opinion of most of those who sat on that side of the House, there were many important points in the Bill upon which it would be their duty in Committee to raise some serious discussions and propose some important changes. In fact, they took the Bill on its second reading as the foundation of a Reform Bill for Ireland; but beyond that they were not inclined to go. The Bill was divided into two heads, that of the franchise, and that of the re-distribution of seats. As to the borough franchise, he admitted that there was much to be said in favour of the course that Government had taken in availing themselves of the line drawn by the existing law of rating under the Poor Law system, and fixing the franchise at a £4 rating. He must, however, say that he thought that it would be impossible to maintain the county franchise at the figure at which it at present stood—namely, £12. He admitted that when, in 1866, he himself introduced a Reform Bill for Ireland he did not propose to lower the county franchise; but the state of things had since then materially altered. After the great reduction which had been effected in the county franchise in England, and when it was proposed to reduce it in Scotland, it would be very difficult to persuade the people of Ireland to be satisfied with a Franchise Bill that left the county franchise at its present rate; while the reduction of the borough franchise would add but a very small number to the total of the electors. So long as eighteen years ago, an £8 franchise was proposed for Irish counties by Earl Russell; and therefore it was hardly possible that now a £12 franchise would be agreed to. He did not believe that a lower franchise would produce a very different constituency; but, at all events, it would be a more extended and more popular franchise. As to the proposed re-distribution of seats, there was scarcely anything in that portion of the Bill to which he could give assent; and to the greater part of the proposals, he thought that there were most serious objections. It was quite true that the towns of Ireland were comparatively small in number of population, and were inferior in valuation to the counties; but he held this to be a sound principle for an Irish Reform Bill, that the transfer from the borough representation to the county representation should be confined within the smallest possible limits. The county representation of Ireland, however respectable and important, was of an extremely uniform and monotonous character; for the constituency consisted almost exclusively of landlords and tenants. On the other hand, the boroughs, though somewhat insignificant when compared with the great towns of England and Scotland, were important as centres of representation, and were the only means by which various interests could find representation in the House. Further, as Irish prosperity developed itself and Ireland ceased to be an exclusively agricultural country, the importance of the towns would every year increase. He objected to the proposed re-distribution, because it was not founded upon any distinct rule or governed by any standard of population, of electors or of property; and not being founded upon any rule, the scheme would require justification in every particular instance. He held that if small Irish boroughs were to be disfranchised, the system should have been the one which had uniformly been adopted in former Bills, that of taking the boroughs smallest in population; but the Government had passed over some of the smallest boroughs, and had extinguished boroughs that had a far stronger claim for representation. He thought that there was a great deal to be said in favour of a system of grouping as applied to Irish boroughs. He further objected to the proposition to transfer the borough Members to counties; and it was, at all events, a new thing to divide a county into two unequal parts, and say that two-thirds of the county should return two Members, and that the other third part should be formed into a separate electoral district to return one Member to Parliament. Whilst they had not thought it right in the case of counties to give a third Member to the whole constituency, yet they did in this way give the third Member to the city of Dublin. These were the principal points which, so far as he knew, it would be their duty to raise in Committee.

Colonel FRENCH, who had given Notice of his intention to move that the Bill be read a second time on that day six months, said, that he thought that it was hardly in accordance with the rules of Parliamentary courtesy for the right hon. Gentleman (Mr. C. Fortescue) to state his own opinions at that time, when he (Colonel French) had a distinct Notice in opposition to the Bill upon the Paper. The Government stated that one of the principal reasons for continuing in Office was their desire to carry out Reform Bills for Ireland and Scotland. So far as he and those who acted with him were concerned, the Government need not burden themselves with such an Office, for there was not a single portion of the Irish Bill with which they were content. The Bill was objectionable from the beginning to the end, and, judging from the numerous Notices given by his hon. Friends from Scotland, in regard to the Scotch Bill, they were equally dissatisfied with the Scotch measure. As regarded this Bill, it was a matter of perfect indifference whether the dissolution of Parliament took place before or after the passing of the Bill, for many of the Irish Members believe that a new Parliament would give Ireland a better Bill. It was remarkable that in this Reform Bill there was no reference to the county franchise. It was not even alluded to in the Bill. Was it to be borne that the English county franchise was to be increased by 170,000, and that not a single vote was to be added to the Irish county constituency; and that only 9,000 votes were to be added to the Irish borough constituency, when the English borough constituency was to be increased to the extent of 400,000? He believed that, if the Bill were thrown out altogether the House would be able to pass a really good measure with as much expedition as would enable them to pass this; but he would not make the Motion of which he had given Notice, but would rather ascertain the views of those who sat with him upon the Opposition Benches.

Mr. REARDEN, who had a Motion upon the Paper declaring that it was expedient that an Irish Reform Bill should provide for resident manhood suffrage and vote by ballot; that no borough should be disfranchised; and that the representation of Ireland should be placed on an equality with that of England and Wales—namely, one Member for every 40,000 of population—said, he would not offer any obstruction to the second reading of the Bill by moving that Amendment; but would reserve to himself the right of moving Amendments in Committee. At the same time, he thought Ireland was not receiving equal justice with England in her representation; and he should be able to prove in Committee that, from her population, her imports and exports, and her revenue Ireland was entitled to 169 Members if she were put on a footing of equality with England and Wales in regard to her representation.

Mr. PEEL DAWSON expressed his disappointment that, in the portion of the Bill relating to re-distribution of seats, justice had not been done to the claims of the province of Ulster, whether on the score of numbers, assessment of property, or of the visible signs of progress and industry. The Census of 1861 showed that, out of the total population of Ireland, amounting to 5,790,000, the population of

Ulster was 1,915,000, or exactly one-third of the whole. But, of the 105 Members returned from Ireland, only 29, or little more than a fourth, came from the Northern province. If its due proportion, therefore, were allotted, Ulster should have 35 Members. Contrasted with the other provinces of Ireland, the injustice was still more striking. Ulster had a population greater by 500,000 than that of Munster, yet Ulster had only two Members additional. The population of Leinster was 1,452,000, as against 1,915,000 in Ulster; yet Leinster had 34 representatives, while Ulster had only 29. Contrasted with Scotland, the anomaly was even more striking. Under the proposed arrangements, Scotland would, in future, return at least 60 Members; Ulster, with a population equal to two-thirds of that of Scotland, would upon that scale be entitled to 40 representatives. The people, moreover, had a common origin, and were very similar in character and pursuits. Judging by the Irish standard, Ulster would thus be entitled to 35 Members; and if the Scotch precedent were acted upon, she ought to have 40. He regretted that the system of grouping had not been introduced into the Irish Bill. That system had been found to work advantageously in Scotland and Wales, and he did not see why it should not be tried in Ireland. Under such a system several excellent districts might have been created in the North of Ireland. In Armagh, Lurgan and Portadown would have formed a good constituency, with a population of 16,000; and Newtownards and Ballymena might be similarly associated. The county of Antrim should be divided into two parts for representation, and he thought the city of Londonderry possessed superior claims to Galway in the same respect. He was of opinion that the representation of the North should be strengthened, even although it should be done at the expense of the South. He was willing to accept the proposition of the Government with regard to the franchise. He congratulated them on not lowering the county franchise below the figure at which it was proposed to fix it. He did not quite approve the reduction of the franchise in the boroughs, as he feared it might have an injurious effect in certain towns in which disaffection was said to exist; but he did not think the Government had any choice in the matter, because it would not be possible to keep up a higher rate of franchise in a poorer county than that which had been decided on for England. They must only trust to the healing influences of remedial legislation, and to that spirit of loyalty which actuated all persons of property and influence in Ireland.

MR. PIM thought that the scheme for the re-distribution of seats was very defective; and, unless it were improved in Committee, he was of opinion that it would be better to confine the Bill to the franchise. He should have no objection to see additional Members given to Ulster, if that could be done without taking them from the other provinces. It appeared to him that the Government ought to have had recourse to the system of grouping which had worked so well in Scotland and in Wales, and which was peculiarly adapted to the circumstances of Ireland. No fewer than eighty-four Irish boroughs had been disfranchised at the Union. In many cases, probably, the disfranchisement took place with the object of bribing the owners by payment for their interest in those boroughs. He thought they ought to make use of the present opportunity to remedy the error then committed, and replace the most important of those towns in the rank of boroughs; and, by uniting them to some of the existing boroughs, form groups, which would be as valuable a portion of the Irish constituencies as they are of the Scotch and Welsh. He objected to the proposed disfranchisement of the six small boroughs, because it would weaken the borough constituencies, and thus afford a plausible argument for giving increased representation to the counties at the expense of the boroughs; and he thought it would be wrong to decrease the borough representation. The large and important county of Cork had certainly a strong claim to be divided into two ridings, and to return four Members instead of two; but no valid reason had been shown for taking these additional members from the boroughs. The electors in boroughs were generally much more independent in their action than the electors in counties; and it would therefore, be decidedly a loss to the independence of the constituencies if the borough representation was diminished. Another objection to the Government proposal as to the six small boroughs was that, supposing their plan of franchise to be affirmed, a large number of the present electors in these boroughs would be deprived of the franchise, as they would lose the right of voting in the boroughs; and their qualification is not sufficient to entitle them to vote for the county. With regard to the county representation, he found that England had 172 county Members to 295 Members sitting for boroughs and cities. Wales—which was in very much the same position as Ireland—had 15 Members for counties and 14 for boroughs and cities; Scotland, 30 county Members and 23 borough and city representatives; while in Ireland the proportion was 64 county Members to 39 Members sitting for cities and boroughs. Surely, looking at these numbers in Great Britain, no one could think of proposing any further reduction in the city or borough representation of Ireland. He had ventured to propose a system of grouping. He would not say that it was the best that could be devised, as a private Member had not the information which the Government could command; and it was from the Government that such a proposal ought properly to come. He had proposed to group fifty-three towns in fourteen groups, each group having an average population of about 20,000, and the aggregate amounting to 289,853 persons. According to the franchise scheme of the Government these groups would probably have about 16,700 electors, and it would raise the whole civic and borough constituency of Ireland to about 1,048,000 inhabitants and 57,000 electors. He could not help expressing his surprise that the Government did not contemplate bestowing a third Member upon the thriving and important borough of Belfast—an addition which ought also, in his opinion, to be made to the representation of Cork. He desired, moreover, to call attention to the fact that it was not proposed to give a Member to Kingstown, which, if represented, would rank fifth in regard to population, and fourth in regard to wealth, of the boroughs in Ireland.

**Mr. VANCE**, in spite of the criticism which had been bestowed upon the measure, regarded it as one which, on the whole, dealt with the question in a satisfactory manner. He believed, however, that the claims of Ulster had not been fully recognized. Many of the towns in Ulster were of greater importance than boroughs in the South, with whose representation it was not proposed to interfere. If the population of Scotland were compared with that of Ireland, it would, he believed, be found that the claims of the former country had received ample acknowledgement. Yet it was proposed to give seven additional Members to Scotland. It would, therefore, in his opinion, be but equitable that two of those seven Members should be given to Ulster, or that the South of Ireland should make some slight sacrifices to meet the just claims of the North. Instead of adopting the principle of grouping, it would be better to give additional representation to the large towns in the North. He was unable to agree with the hon. Member for Dublin (Mr. Pim), that the town populations were more independent than the county populations. No doubt the people of the borough which he himself had the honour to represent were perfectly independent, because it was a manufacturing borough, and they required no extraneous aid; but this was far from being the case in other Irish boroughs. He had not long ago contested Dublin with the hon. Member (Mr. Pim), and could hardly think his supporters in that city were so enormously independent, as the accounts rendered showed that the legitimate net expenses of the hon. Member amounted to not less than 7,000 and some odd hundred pounds. That kind of thing was quite unknown in the North, where the people were characterized by the stubborn independence which they had inherited from their forefathers. In conclusion, he expressed a hope that the Government would grant increased representation to the North of Ireland.

**Mr. Serjeant BARRY** said, he would oppose the scheme of the hon. Member for Dublin, as the wildest that was ever invented. It deprived the counties of those independent elements which boroughs supplied, and it grouped a number of boroughs without making provision that those towns should not lose representation. As to the Bill itself, he was unable to support it, because he thought that as a measure of enfranchisement it was altogether insufficient. And the scheme of re-distribution was only calculated to increase the number of those who support the present Government. An £8 franchise was the very least that could be proposed for counties. The principle of the Bill was really to transfer the power to counties, which were in the hands of a few proprietors, who marched their tenantry to the polling booth, too often accompanied by Her Majesty's troops. He objected to the Bill in its two great branches, because it was not framed fairly and impartially to arrange the distribution of political power, but had been done in the interests of a particular party.

**Sir JAMES STRONGE** pleaded for

the independent representation of the towns of Lurgan and Portadown, in the county of Armagh, on the ground of their increased population and importance. He felt bound to insist that the representation of Ireland should be treated in the same liberal manner as that of Scotland.

COLONEL GREVILLE-NUGENT trusting that the Bill would pass in an altered form, thought it unwise to oppose the second reading. Its provisions violated the principles of the English Bill. One was that no borough should be disfranchised; and this Bill disfranchised six. There were more borough Members than county Members for England; Ireland had sixty-four county to thirty-nine borough Members; and yet it was proposed to reduce the borough and increase the county representation. To transfer counties to boroughs without reducing the county franchise was to restrict rather than extend the franchise. The difficulty was to lower the franchise in the poorer county to the same comparative point as in the richer; but he believed it would be necessary to make a considerable alteration in its provisions regarding this point.

SIR HERVEY BRUCE confessed he had no timorous feelings regarding the reduction of the franchise, and expected that, in that lower stratum, they would find an amount of support on which hon. Members opposite little calculated. It was against the elaborate scheme of grouping embodied in the Bill that he now rose to protest—a system that worked badly both in Wales and Scotland, and which he should be sorry to see forced upon Ireland. Those who represented small constituencies in Ireland like to have them to themselves, and therefore he trusted it would be energetically resisted by Irish Members. It stood to reason that a town would be better able to give expression to its own interests when it stood by itself than when it was grouped with one forty or fifty miles apart.

MR. BRADY said, he must protest against the principle of this Bill, if, indeed, it contained any principle whatever. Household suffrage was granted in England but denied to Ireland. He objected to the £4 "hard line" borough franchise. He altogether objected to the £12 county franchise, and thought it ought to be reduced to £7, because the great mass of the people lived in small tenements. He compared the different franchises existing in England with those proposed to be given to Ireland, and contended that, in this respect, Ireland was most unfairly dealt with. Were it not for his belief that the Bill would be materially altered in Committee, he should second the Motion of his hon. Friend (Colonel French) that it should be read a second time that day six months.

MR. ESMONDE said, that in Committee he should call attention to the freeman franchise.

MR. O'BEIRNE said, as he stated when the noble Earl introduced the Bill, that he could not see that any principle which had been hitherto proposed or accepted by the House had governed him in the preparation of it, he might, perhaps, be permitted, in justification of that opinion, which was expressed at the moment, to say that, having since had the opportunity of more carefully considering the clauses which referred to the re-distribution of seats, that he was confirmed in his opinion, and that he felt that that opinion could be fully sustained. They had had during the last Session, in many and protracted debates which some of them, at least, on this side of the House heard with weariness, a policy announced and insisted upon with reference to a reform of the English constituency which had been disregarded in the Bill proposed for Ireland. The House will permit him to call their attention to the comparative position of the English boroughs, as fixed by the English Bill, and the disfranchisement of the Irish boroughs and the distribution of the Members proposed to be liberated. In England there were no less than twenty-two boroughs sending Members to Parliament of a population less than 6,000. There were ten boroughs of a population less than 5,000. There were twenty-two boroughs of a population less than Bandon, eighteen less than Cashel, nine less than Kinsale, five less than Downpatrick, and four less than Dungannon. Upon what principle, then, by what mode of calculation had the noble Earl arrived at the determination to disfranchise those five Irish boroughs, and what did he do with the five Members? He gave one to the minority in Dublin. It was pretty clear what class of men that minority would return. Certainly not one who would add to the Liberal ranks in that House. He selected four baronies in Tipperary to form a new constituency—being perfectly well aware that those four baronies were Conservative, and would send a Member to aid the Conservative party to Parliament. [The Earl of MAYO said, he had heard that a result entirely different would be the case.] He thought he was as well informed on that point as the noble Earl; but of this he was quite satisfied, that the four favoured baronies to which he had referred would never have the opportunity afforded them which the noble Earl proposed to give them, as they would not permit his arrangement to be carried into effect. The other Members were given with the same intention to divisions of counties which were safe seats for the noble Earl's party, and doubtless if his Bill were carried in the shape in which it stood, it would be a very favourable party measure. Although he (Mr. O'Beirne) had no intention of offering any opposition to the second reading of the Bill, as he desired to affirm the principle that a Reform Bill was very necessary for Ireland, he assented to it only in principle; and he believed that little of it beyond the Preamble would be accepted by the House, as they were strong enough on that side to frame such a measure as would be a fair and useful one for the counties. He quite understood a party measure being produced. He could understand every effort of ingenuity would be exercised to win some strength by such a move; but he confessed he was not prepared for the introduction of a Bill such as that before them, which so openly and undisguisedly exposed the objects of its framer. An astute Minister might have wrapped up to some extent his designs; but the noble Earl had not done so. They knew what was intended, and he had no doubt whatever that they would yet succeed in framing a good and useful measure, differing in all essential points from that now on the table. As he had said, he had risen to set himself right with the House. He had proved, he thought, that, so far as disfranchisement and re-distribution, there was neither reason, principle, nor justice in the proposal, and he had, therefore, only to add, that he had no desire to offer any opposition to the second reading of the Bill, which must be made a good one in Committee.

Mr. G. MORRIS protested against the grouping scheme referred to by the hon. Member for Dublin (Mr. Pim). He suggested that, in accordance with the English Act, a schedule should be attached authorizing the payment of carriage hire to bring up the voters of boroughs to the poll, where, like Galway, the borough runs for a considerable distance into the county.

Mr. STACPOOLE objected to the grouping scheme of the hon. Member for Dublin.

Sir JOHN GRAY remarked that the Bill did not give the same advantage to Ireland as was given by the English Bill to England. He supported the second reading; but held himself perfectly free to make any alterations in the Bill in Committee. He thought the ballot absolutely essential to the protection of the voters.

The Earl of MAYO said, he would not detain the House at any length, as the principles involved in the Bill were rather in the nature of details, which would be best discussed and disposed of in Committee. He was rather surprised to hear the objections which had been urged to the Bill on the ground of supposed differences from the English Act. It was based on principles which were identical with those of the English Act. The county franchise was put at precisely the same figure, and the borough franchise was also the same, being given to every tenant who paid poor-rates. It was quite true that circumstances had arisen in Ireland that, at an early period, would render an alteration in the principle of valuation necessary; but that was a question of valuation, not of the franchise. There was no substantial reason why the county franchise should be lower in Ireland than in England. With regard to the borough franchise, the point at which an occupier became liable to pay rates was £4; below that amount the occupier was exempt from the payment of rates; therefore, adopting residence and personal payment of rates as the qualification, they could not take any other amount. So much for the franchise; and he could not but hope that this, by far the most important portion of the Bill, would be adopted by the House, being essentially the same as that adopted by the House, after much consideration, for England. With regard to the re-distribution, perhaps the most interesting portion, the statements made to-night did not lead him to believe that it was probable any single scheme of re-distribution that could be proposed would be more acceptable, because no sooner did any Member propose a different scheme than it was immediately disapproved by others who followed. It was impossible to establish a system of grouping that would improve and elevate the borough representation. In the great portion of Ireland—certainly in three provinces—there were no materials for a satisfactory increase of the representation at all. The Government proposed in the place of six of the very small insignificant boroughs to create some very large, influential, and independent constituencies. Surely, in a country where agriculture formed the principal staple of industry, it was reasonable to take the representatives from these small boroughs, which, if they represented anything at all, represented agriculture, and give them to large and flourishing agricultural county constituencies. When the Government were taunted with departing in this from the principle of the English Bill, it must be remembered that the circumstances of the two cases were different. In England you had great manufacturing centres which, until last year, were unrepresented; but no places of that kind existed in Ireland. If you represented anything at all you must represent agriculture, and that could not be done more effectually than in the way proposed by the Government. It was objected that they had not drawn a line, taking all the smallest boroughs first. They had dealt with five of the smallest, and the only boroughs excepted, taking them numerically, were Mallow and Enniskillen. The reason for taking the five boroughs mentioned in the Bill was because they were situated in localities to which the representation could justly and properly be transferred, and because the Government thought it better not to attempt to move the representation from the localities, but to transfer it from the small boroughs to the agricultural constituencies around them. That principle had only been departed from in the case of Portarlington, and that was a point to be discussed in Committee, as was also the proposal to adopt the minority principle, in giving a third Member to Dublin. For his own part, he should not regret if the Committee thought fit to divide the city of Dublin and give it three Members without adopting the minority principle. But he did attach importance to giving these single Members to divisions of the counties. He thought the opinions of the electors in those districts would be much more adequately represented, and a much more satisfactory principle of representation would thereby be created, than by turning these counties into three-cornered constituencies. The House would remember that the Government last year were no great advocates of the minority principle, and he should be sorry to see it extended to Ireland to any great extent. If a larger scheme of distribution were thought necessary by the Committee, he admitted that a case had been made out for giving additional representation to Ulster. As it was, unwarrantable attacks had been made upon the measure, which was said to be framed for party objects. Now, of the six boroughs which were proposed to be dealt with, three returned Liberal and three Conservative Members; there was no partiality in that respect, and he had never made any inquiries whatever as to the political effect of the measure. If the scheme of the Government were adopted, he believed that the representation, in a party sense, would remain very much as it now was, and he repudiated the extraordinary statements of the Liberal Members as to the want of independence on the part of the southern constituencies. If a powerful influence were exerted in one direction, an equally powerful influence was brought to bear on the other. He was sorry that such a state of things should exist in Ireland; but it did exist, and an alteration in the franchise was not likely to affect it materially. He hoped the Bill would be fairly considered in Committee. There was no party object to be gained by it. He believed that the principles on which it was based were sound, and the Government were only anxious to pass a measure which would render more influential and powerful in this House the representation of the people of Ireland.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *Thursday* next.

House adjourned at half after One o'clock.

## HOUSE OF LORDS.

*Friday, May* 8, 1868.

MINUTES.]—*Sat First in Parliament*—The Earl of Ellesmere, after the Death of his Father.

PUBLIC BILLS—*Second Reading*—Broughty Ferry Provisional Order Confirmation * (86).

*Committee*—Perth and Brechin Provisional Orders Confirmation * (64); Capital Punishment within Prisons * (83).

*Report*—Perth and Brechin Provisional Orders Confirmation * (64); Capital Punishment within Prisons * (83).

*Third Reading*—Local Government Supplemental (1868) * (70), and *passed.*

## VICTORIA—THE APPROPRIATION ACT.

### OBSERVATIONS.

Lord LYVEDEN, in rising to call the attention of the House to the Correspondence respecting and arising from the Non-enactment of the Appropriation Act in Victoria consequent upon the Recall of the Governor of the Colony, said, that he could hardly hope, after the excitement of a crisis in this country, to attract their Lordships' minds to one in a distant colony which was however of the utmost importance. But, in the first place, he desired to say that in the remarks which he was about to make, he was far from desiring to make this a party question, and still more was he desirous of avoiding anything like a personal attack on the noble Duke at the head of the Department (the Duke of Buckingham), to whose courtesy he was ready to bear his personal testimony. The position in which the colony of Victoria now stood was this — Previously to the year 1850 the colony was known as the settlement of Port Philip. In 1850, however, it was constituted a colony; the Constitution given to it by an Act of the Imperial Parliament comprised a Legislative Council, part of which was nominative and part elective. But by a subsequent Act it received the usual colonial Constitution, consisting of a Legislative Assembly and a Legislative Council, the former being elected by a large constituency, and the latter being elected for a longer term of years by electors possessing a higher franchise. Between these two Assemblies had arisen the same dispute that had prevailed in the mother country respecting their privileges, and the House of Assembly had tried the system of what were here called "tacks" by way of compelling the Council to carry measures which would not be by themselves accepted. In the midst of these contests occurred the appointment of Sir Charles Darling. Now, of Sir Charles Darling he (Lord Lyveden) desired to speak with the utmost respect. He had filled the office of Governor of different colonies under the Crown for upwards of eighteen years, with the approbation of those Secretaries of State under whom he had served. But circumstances of great difficulty arose in the government of Victoria, in consequence of this conflict between the Legislative Council and the Legislative Assembly. The Legislative Assembly was what might be termed a Protectionist body, and they, in passing the Appropriation Bill of 1864, tacked on to it a Protectionist tariff, under the not very euphonious title of a Tariff and Appropriation Bill, which, however, the Upper House refused to sanction. This led to considerable discussion, in which Sir Charles Darling sided with the Legislative Assembly, and the result was his recall by the Home Government, and notwithstanding his long and valuable services, he was left without any compensation or retiring allowance, or the chance of re-appointment. A Committee of the Legislative Assembly having investigated the case, and desiring to compensate Sir Charles for his services, recommended a grant of £20,000 to Lady Darling, to avoid the objection they knew existed to a Vote for himself. This Vote of the Legislative Assembly, however, failed to receive the sanction of the Upper House. He (Lord Lyveden) considered that the matter was of the utmost importance; for it really involved the question whether this country should maintain any control over the colonies. It was an invariable rule that no colonial Governor was permitted to receive, either personally, or through his family, any sum of money from the colony under his government. Sir William Molesworth, when Secretary of State for the Colonies, sent a circular to the Governors of the colonies in the following terms:—

> "I have had lately some reason to suppose that a rule, for some time established in Her Majesty's colonial service, is not universally known. It is that which absolutely prohibits the receipt of pecuniary or valuable presents by Governors from the inhabitants of the colonies under their administration, or any class of them, during the continuance of their office. It is quite unnecessary for me to detail the reasons for this prohibition, which are evident of themselves; it may be enough to say that they rest on no considerations affecting the honour of gentlemen selected by the Crown to fill situations of this high importance, but on the necessity of preserving them, in the eyes of the public, free from all suspicion. 2. These reasons apply to the receipt of presents of the same description by a Governor on leaving his office with scarcely less force than during its continuance. And although Her Majesty's Government cannot exercise any direct control over the actions of gentlemen on the point of leaving the public service, they feel it their duty to record this opinion, and to express their hope that it may be acted on as a general rule."

By the 39th Colonial Regulation, the Governor was prohibited from receiving presents pecuniary or valuable from the inhabitants of the colony, or any class of them, during the continuance of his office, and from giving such presents, and this rule is to be equally observed on leaving his office. On the Vote of the Assembly coming to the knowledge of Sir Charles Darling, he sent the following message to the Legislative Assembly on the subject:—

> "The Governor feels it to be his duty, while yet administering the government, to intimate that his family would not feel at liberty to accept the bounty of the Parliament and people of Victoria, until the Government shall have first ascertained whether Her Majesty may be pleased to signify any commands therein."

Upon this message the Assembly changed their Vote into an Address to Her Majesty praying her to allow the proposal. This was forwarded to the Secretary of State for the Colonies. The answer of the Earl of Carnarvon was as follows:—

> "I am unable to advise Her Majesty to accede to the request it conveys. The rule that a Governor should not receive pecuniary or valuable presents from the inhabitants of the colony over which he presides, either during the continuance of his office or on leaving it, is expressly laid down in the Colonial Regulations, and for obvious reasons it has always been rigidly enforced. It is plain that such a rule would be merely nugatory if it were held that what the Governor was precluded from receiving might be properly given to his wife. It is, under these circumstances, impossible that Her Majesty should be advised to sanction the literal or substantial violation of this rule by any of her servants; or, on the other hand, that the acceptance of the proposed gift should be regarded otherwise than as a final relinquishment by Sir Charles Darling of that service, and of all the emoluments and expectations attaching to it. . . . . If you desire to retain your connection with the colonial service of this country, you are not free to accept the Vote."

His Lordship further added—

> "He must regard a gift to a Governor's family as equivalent to a gift to the Governor himself. . . . And emoluments by way of pensions to Governors can only be claimed upon the understanding that those who claim them abstain from the acceptance of emoluments which are prohibited by the rules of the service."

If the Governor of a colony were allowed to receive through his family—as in the present instance of the grant of a sum of £20,000 to Lady Darling—the Crown would, in fact, lose all control over the colonies; and it would be better to let them elect their own Governors and pay them. The noble Duke (the Duke of Buckingham) succeeded the noble Earl (the Earl of Carnarvon) as Secretary of State; and the new Governor (Sir Henry Manners Sutton), in his first despatch, stated that—

> "By the 57th clause of the Constitution Act, the Legislative Assembly was precluded from originating or passing any Vote of money for any purpose not recommended in a Message by the Governor; and a refusal therefore to comply with the advice that the proposed grant to Lady Darling should be included in the Estimates, which are uniformly transmitted by message, would have been in effect a refusal on his part to afford them a constitutional opportunity for discussing it, while his acquiescence in the recommendation of his advisers could not be regarded as implying any personal opinion with respect to the policy of that or any other item included in the Estimates."

That was a most extraordinary statement. He (Lord Lyveden) submitted that Sir Henry Manners Sutton was altogether mistaken in the view he took of the matter. The object of the 57th clause of the Constitution Act was to prevent the Governor from doing exactly what Sir Henry Manners Sutton had done—proposing any Vote of money against the opinion of the Legislative Council and the Secretary of State. The Legislative Assembly never could have voted the money unless the Governor had enabled them to do so by sending down his Message. Sir Henry Manners much support or advice from the noble Sutton in all this did not receive very Duke; certainly his first despatch was a very laconic one. The noble Duke said—

> "I have the honour to transmit to you, for your information, the accompanying copy of a letter from Sir Charles Darling, from which you will perceive that he has elected to relinquish the colonial service."

The noble Duke merely informed him of the bare fact, and gave him no instructions on the subject; the letter naturally enough led to the inference that the grant might be accepted: and after such a despatch they could hardly wonder at what Sir Henry Manners Sutton had done. Had the noble Duke expressed any opinion on the Vote to Sir Charles Darling the Governor would have acted on it. The grant had been refused in every shape by the Legislative Council, and the difficulty was proposed to be remedied by the dissolution of the Assembly. The noble Duke forbore to express any opinion on this subject too, and even approved Sir Henry Manners Sutton's conduct in submitting the Vote to the Assembly; indeed, he afterwards says—

> "It is not so clear and unmistakable a violation of the existing rule as to call for the extreme measure of forbidding the Governor to be party, under the advice of his responsible ministers, to those formal Acts which are necessary to bring the grant under the consideration of the local Parliament."

But upon every theory of colonial government it was absolutely incumbent on the noble Duke to direct the Governor to abstain altogether from taking the part he had done in this matter. The initiative was given to the Crown for no other reason than to check such grants, which were completely forbidden by the Secretary of State and the Colonial Office Regulations. How stood the question now? The Assembly had been dissolved, and it appeared by the latest accounts the new Assembly were very much of the same temper as the last. He had also seen it stated that the Ministry had resigned. He wished to know what course the noble Duke now intended to pursue. He did not desire to express any opinion in favour of one Assembly or the other; but, with respect to Sir Charles Darling, he could not help thinking that that gentleman was entitled to some consideration from the Crown. A more important consideration, however, related to the action which the Secretary for the Colonies proposed to take at the present moment. It was desirable that the noble Duke should explain why, on one occasion, he told the Governor that he must not propose the Vote except on the clear understanding that it might be brought before the Legislative Council in a manner to enable them to exercise their discretion without throwing the colony into confusion, and on another occasion stated that the proposal of the Vote would not be so clear a violation of the rule of the Colonial Office as to cause him to interfere to forbid its proposal. He wished to know how the noble Duke reconciled those two statements. This was an important question in reference to colonial government; and he could not help thinking that any discussion which might arise on this subject in their Lordships' House would be extremely advantageous, as tending to show what was the opinion of their Lordships as to the position of the colony. In his mind it was one of extreme peril, and so it appeared to the Governor, who stated that a conflict such as that which is now in progress strains the Constitution of the colony, and I cannot assert that the Constitution can endure this strain much longer. In these circumstances he hoped he was justified in calling the attention of their Lordships to the subject and asking some explanation of the views of Her Majesty's Government.

The Duke of BUCKINGHAM said, he agreed with the noble Lord (Lord Lyveden) in thinking the question now raised by no means unimportant, especially as it originated from difficulties which had arisen in one of our most important colonies. It was a question, indeed, which affected the whole of our colonial Empire, and could not be over-rated. It had a two-fold aspect—one in reference to the course to be pursued in dealing with colonies where free institutions were established, and the other in reference to the honour and integrity of the colonial service. In respect of the latter view—a proposal had been made to grant a large sum of money to an officer whom a former Secretary of State thought fit to remove from the government of the colony with which he was charged—an officer who had served long, whose services had been commended by previous Colonial Secretaries, and who relinquished the colonial service of the Crown with the prospect of receiving a grant from the colony he had governed. That was a circumstance which he thought had never before occurred—certainly not of late years. As to the proposal to confer this grant on Sir Charles Darling, he (the Duke of Buckingham) thought there could not be two opinions as to the impropriety of the principle of such a grant. Entertaining that opinion, he had conducted a correspondence of some extent with the Government of Victoria. He did not think that it was necessary that he should go into the question of the recall of Governor Sir Charles Darling, nor as to the position which he now held. The matter clearly resolved into a question as to the conduct which he (the Duke of Buckingham) had pursued since he had been in Office, and whether he ought not to have taken means to prevent the grant being discussed in the Legislative Assembly. The noble Lord had called attention to the origin of the proposal, to the recall of Sir Charles Darling, and to the proposal of the Legislative Assembly to present a grant of £20,000 to Lady Darling, and had referred to the despatches on the subject. Before, however, referring to those despatches, he would dwell for a moment on the position in which the question stood before it came under his cognizance. The noble Lord seemed to think that, when the matter was first brought before him by the letters of Sir Charles Darling, which he transmitted in a brief accompanying despatch to the colonies, he ought to have sent out instructions that the Vote was on no account to be submitted to the consideration of the Legislative Assembly. Now, he certainly should not have been indisposed, had he felt he had the power to act in consonance with his own feelings on the subject, to take that course; but he had to take into account not merely the power which the Government had, but the position in which the whole affair at the time stood. That position was that, in May, 1866, certain Resolutions had been passed by a Committee of the Legislative Assembly proposing to make the present in question to Lady Darling. The Answer of Sir Charles Darling to the Address communicating the Resolutions were answered by Sir Charles in proper terms. Subsequently to the Answer of Sir Charles Darling to the Address, and partly in consequence of it, an Address was transmitted to this country on the 26th of May, from Victoria, requesting that Her Majesty might be graciously pleased to give her sanction to the grant. That despatch reached England on the 20th of July; and an answer to it was sent out to the colony, but no peremptory instructions were given in that answer, and no intimation was conveyed in it that the Address contained a proposal the principle of which the Government must condemn. It was not, indeed, until five months afterwards that his predecessor had deemed it necessary to express his opinion to the colony on the subject of the Address, and that opinion, sent out in December, contained the information that its prayer could not be complied with. A correspondence with Sir Charles Darling, which extended over many months, was afterwards communicated to the colony, accompanied by a letter from the Under Secretary of State, warning the Governor distinctly that any grant whatsoever to any member of his family must be looked upon as a grant to himself, and that he could not remain in the colonial service if he were to accept any such grant. He had, therefore, before him the facts that two or three warnings had been given to Sir Charles Darling, plainly intimating to him that such a grant could not be allowed to be accepted by him without the forfeiture of his position in the colonial service, as well as all prospect of future employment or pension under the Crown; and, on the other hand, that the colonists had been told that the prayer of their Address, asking to be permitted to make the grant, must be refused. Under those circumstances, he could not see, when the subject came under his notice how any further remonstrances were likely to be productive of the slightest effect, or what power he had to enforce such remonstrances if made. The noble Lord (Lord Lyveden) with regard to the latter point admitted that the question of the power of such enforcement turned on the interpretation of the clause in the Constitution Act, in accordance with which all money grants in the colony must originate with the Governor in the same way as in the House of Commons grants of money must originate, in accordance with the Standing Orders, with the responsible Ministers of the Crown. Now, it might be said that under the operation of that clause the Governor could have withheld his assent altogether from the Vote recommended by his responsible advisers; and he (the Duke of Buckingham) was not prepared to contend that such a power might not exist. It was not a power, however, which had been used in the way in which it was suggested it might have been used in the present instance. The origin of the clause in the Constitution Act had, in fact, been ascribed to the expediency of protecting the colonists from claims for unprofitable or reckless grants for local purposes, or not of importance to the colony at large; and, although there might be, theoretically speaking, such a power as that to which he had just alluded, he did not believe that it was a power which could be practically enforced unless its exercise happened to be in accordance with the general feeling of the colonists themselves. He, at all events, did not think that it could be exercised in opposition to the will of their Legislature. It did not under those circumstances appear to him desirable that he should, in relation to the particular grant in question, enter into a dispute with the colony, of which the end could not be easily foreseen, and which must assume the form of an attempt on the part of the Imperial Government to endeavour to coerce the full representative Government which had been given to the colony. That was the conclusion at which he had arrived; although he felt at the same time that the grant was one which was objectionable in principle, and which if carried into effect would tend to do serious harm to the colonial service. He was aware that the great mass of the people of the colony were in favour, for various reasons, of the grant to Lady Darling, and he thought the noble Lord who preceded him at the Colonial Office (the Earl of Carnarvon) had adopted a wise course in not doing that which he himself had abstained from doing—taking the extreme step of advising the Governor not to submit such a Vote, when proposed, to the consideration of the Legislative Council. The noble Lord (Lord Lyveden) had, he might add, called attention to two extracts from the despatches which he (the Duke of Buckingham) had written, which he seemed to think were completely contradictory. He stated that in the despatch of the 1st of January the Governor was warned that he ought not, in a certain event, to recommend the Vote except on the understanding that it was brought before the Council. The noble Lord appeared to think that was quite at variance with the paragraph in the despatch of October, in which it was stated that as Sir Charles Darling was no longer in the service of the Crown it would not be right for him, as Secretary of State, or for the Governor, to express any opinion on the proposed grant to Lady Darling. As to the despatch of January 1, if that Vote had been attempted to be passed in either of the different forms in which it had been submitted, and if Sir Henry Manners Sutton's Ministers had failed in passing it either in a separate form or by including it in the Appropriation Act, and if after a dissolution they also failed, it did not appear to him expedient that Sir Henry Manners Sutton's Ministers should present that grant again in the same form, if they should think it right to submit it again. Therefore he gave the Governor the instructions referred to on the 1st of January; but those instructions in no way prevented him from continuing to submit the grant, and they did not seem to him in any way at variance with what he wrote in October, stating that, as Sir Charles Darling was no longer in the service of the Crown, it would be right neither for the Secretary of State nor for the Governor to express any opinion on the proposed grant to Lady Darling. That passage had been a good deal criticized by the noble Lord, who asked why it was not right either for the Secretary of State or the Governor to express an opinion on that grant under those particular circumstances. Sir Charles Darling had ceased to be in the service of the Crown. He must either in that matter have been looked upon as a private individual or as a person coming within the scope of the regulation as to Governors either holding or leaving their posts. If Sir Charles Darling was merely a private individual in the colony, it certainly would not have been a case, according to constitutional practice, for the Crown to have interfered by the expression of any opinion on the question of a grant proposed to be made in accordance with public opinion by a colony with free representative institutions. If, on the other hand, Sir Charles Darling was a member of the colonial service, and to be regarded as a person falling within the operation of the regulation for Governors holding office or about to leave it, then it was not expedient for him (the Duke of Marlborough) as Secretary of State to express any opinion on the question of the grant, because the very case that had occurred, or even a stronger one, had been distinctly provided for in the instructions given to Sir Henry Manners Sutton on assuming office in the colony. By the Constitution Act it was prescribed that no money votes should be considered except those introduced by the responsible Ministers of the Crown with the sanction of the Governor. No Bill containing any money grant could therefore reach the Council unless it had been so initiated, and that was the power which the noble Lord thought ought to have been used in that particular case. But it would have been very difficult to have used it in such a case, and he (the Duke of Buckingham) thought he was right in saying in his despatch that they ought to express no opinion on the question, because the instructions under which Sir Henry Manners Sutton was acting in the colony contained almost a positive direction to him not to interfere at such a stage in such a grant. He said "almost contained," because, though they did not contain that positive direction, they, in fact, provided for the very case that had occurred, which he looked upon as that of a grant to a Governor. In Sir Henry Manners Sutton's instructions there was a direction that, should any Bill containing a grant of money or land for a Governor be brought up for assent, it should be reserved for the approval of the Home Government. It seemed to him that he could not supersede that instruction. The instruction that the Governor was to reserve such a measure for assent distinctly implied that he must have sanctioned its initiation, otherwise no such Bill could be brought up for that assent. When he found those instructions in the hands of an able Governor, as Sir Henry Manners Sutton had been deemed, that he had been sent out expressly to deal with the difficulties connected with Sir Charles Darling's conduct in Victoria, and that those instructions were given not by himself nor by the present Government, but by a right hon. Gentleman who formally held the seals of the Colonial Department (Sir William Molesworth), it did not appear to him that he ought to express any opinion adverse to those instructions, or attempt at a distance involving a three or four months' correspondence, to direct the Governor further on a matter the position of which was daily and weekly changing. The reasons, therefore, why he had sent no further instructions, in the first instance, than merely to communicate the letter of Sir Charles Darling were that it appeared to him that letter was merely the confirmation of what had already been communicated, that his predecessor had dealt with the Address on that subject. On the general question of the relations between this country and the colonies it also seemed to him most inexpedient that they should hastily enter on questions on which a strong feeling existed in the colony, on questions which did not vitally affect the interests of this country, and on questions such as those in which our own regulations failed to prohibit the person from accepting such a grant. He thought that by giving free representative institutions to those colonies we had practically placed ourselves in the position rather of guiders than of rulers, that our rule must be guided strictly by the terms of the Act under which their constitutions were established, and by the general instructions given to Governors in regard to their management; and that to attempt hastily to vary those instructions, to exceed in any degree the limits under which they usually conceded representative institutions, was a course full of danger and certain eventually to result in raising feelings in the colonies inimical to that continued union and affection in regard to this country which it was the interest of this country and also he believed both the interest and the desire of the colonists to cherish. It appeared to him that that question at the stage at which it passed under his supervision could not have been stopped but by a course of action that would inevitably have raised a conflict between this country and that colony; and the question was not one, in his judgment, that would have been a sufficient justification for our entering into such a dispute. No doubt, the principle of the grant was an objectionable one; and he thought it was much to be regretted that when those Constitution Acts were passed, such presents and grants had not been absolutely forbidden; and, also, that it was a misfortune that such instructions were not given originally, when those representative institutions were established, to the Governors who were to administer them, as would have prevented the proposal of such grants. But he (the Duke of Buckingham) had had to deal, not with that which he thought was desirable, but with the facts as they stood. It seemed to him that it would not have been wise to have taken such a course as would have turned what was now a question between two branches of the Colonial Legislature into a conflict between this country and the colony. The Government had been censured for not having expressed a more decided opinion; but the state of feeling in the Colony was such that there was no prospect of success without causing something more than irritation; and he believed that, when the matter was concluded, instead of being censured for not taking more decided steps, the Government deserved to be thanked for averting a dispute between this country and the colony. It was impossible for him to say what answer he should give to the despatches until he had received them, although he admitted the general purport of those despatches had been telegraphed. It was not possible for him to give instructions to the colony upon a matter of this importance until full intelligence had been received; and even then it would not be expedient to fetter the Governor with instructions which must be framed three months in advance of the circumstances they were intended to meet. It seemed to him that the best reliance this country could have for the safe government of the colonies and the maintenance of the authority of the Crown was to select, as had been done by Mr. Cardwell, able and good men as Governors, and to give them before leaving this county the fullest possible instructions; but to avoid, as much as possible, fettering them with instructions which must be based on suppositions, and could not be based upon facts.

THE DUKE OF ARGYLL said, that the statement of the noble Duke (the Duke of Buckingham) in reiteration of the opinion expressed by him some nights ago—that, on the merits of the case, this Vote of the Legislative Assembly of Victoria was highly inexpedient, and involved a principle dangerous to the connection between the mother country and the colony—had very much narrowed the ground of difference between the noble Duke and those who dissented from the course he had taken. It had, however, narrowed it to a point of the highest importance as regarded the administration of the Crown over colonies enjoying constitutional government. The noble Duke had explained his course with great moderation and perfect candour; and his position was that in dealing with a colony possessing a full constitutional system it was impossible for the Crown to resist the colony, if such a Vote were proposed to a Governor who had acted in accordance with the wishes of the Assembly. That was a very dangerous principle to lay down. No one would go further than himself in accepting the doctrine of colonial freedom. It had now come to this—that there was hardly any question affecting the internal government of the colony, even, although the measures adopted should be injurious to the interests of the mother country, upon which, if those measures were *boná fide* directed to the regulation of their own affairs, it would be expedient for the Imperial Government to resist the final decision of the colonial Assembly. Instead of receiving from our colonies any special commercial advantages, which used to be considered almost the sole value of the colonies, we now allowed the colonists to adopt fiscal systems which were directly injurious to our own commerce. The truth was that our connection with the colonies was now almost reduced, in the case, at least, of colonies having the possession of a Parliamentary system, to the nomination of their Governors; and he would venture to maintain that this remaining tie was retained in their interests, and not in those of the mother country. It saved them from the evils of Presidential Elections, and placed over them a Governor who was above all party contentions, and who represented the dignity and the impartiality of the Imperial Crown. Now, the object of the rule laid down by the Colonial Office that colonial Governors should never receive from the colonies any Vote of money or grant of land, or any other bribe which might influence their conduct, was to maintain the impartiality of the Governor and the purity of the relations between the Imperial Crown and the colony, and to secure that the Governor should never be tempted by pecuniary or selfish considerations to become a mere partizan in the contentions of the colonial Assemblies. That was a rule having reference solely to Imperial considerations, and it was a rule which we ought not to allow the colonies to break through whenever a chance majority of the Assembly might be inclined to do so, in order to reward a Governor who might be supposed to be a partizan of their own. He did not wish to say a single harsh word in regard to the conduct of Sir Charles Darling. It was enough to say that his recall by Mr. Secretary Cardwell was assented to not only by his own party, but by all parties in both Houses of Parliament; and if there were any hardship in his case—if it were necessary for the ends of justice that the question should be re-considered—and that compensation should be given to him for that which was an error of judgment committed under difficult and peculiar circumstances—that investigation ought to have been made at home, and that compensation given to him also at home. It was clearly contrary to Imperial policy that any compensation should be voted by a colony to a Governor, and the question was whether an exception should have been made in the particular case of Sir Charles Darling. No one had described in stronger language than the noble Duke the danger of the quarrel between the two Houses of the Legislature as regarded the maintenance of the existing Constitution of the colony. It was commonly supposed by many who had not read the papers that this was a mere continuation of the old quarrel between the two Houses respecting subjects of internal taxation, one party being favourable to protective duties, and another in favour of Free Trade. But the quarrel that had now arisen between the two Houses of Legislature was on a wholly separate question from that which had been the subject of difference two years ago. It was a new quarrel got up, originated, and caused entirely by the mistaken action of the Colonial Office at home. It had arisen in fact out of the initiative taken by the noble Duke.

THE DUKE OF BUCKINGHAM: I did not take the initiative.

THE DUKE OF ARGYLL would maintain that the course taken by the noble Duke did amount to giving the initiative of the Crown to a Vote come to by the House of Assembly. The circumstances were these—when the news of the recall of Sir Charles Darling was received in the colony, the Legislative Assembly agreed to an Address proposing a Vote of £20,000 to Sir Charles Darling, or rather to Lady Darling, not by way of Bill, but from the Estimates. The noble Duke had laid some stress on the despatch of the noble Earl (the Earl of Carnarvon); but he put a very strained interpretation on the noble Earl's language, because the despatch distinctly intimated that the Colonial Office would give no assent to the introduction of such a Vote into either House of Legislature. It pointed out that such a Vote would be at variance with Imperial principles and the Regulations of the Colonial Office, and that its acceptance would imply that Sir Charles Darling had entirely relinquished the colonial service.

THE DUKE OF BUCKINGHAM: Will the noble Duke give me the date of that despatch?

THE DUKE OF ARGYLL said, the despatch, which was the first sent out by the Colonial Office after learning the proposal of a grant to Lady Darling, was dated the 8th of December, 1866. After reciting the rule of the Office precluding the receipt of grants by colonial Governors—either during office or after resigning—it pointed out that that rule would be rendered nugatory if such grants could be awarded to a Governor's wife. It added—

> "It is, under these circumstances, impossible that Her Majesty should be advised to sanction the literal or substantial violation of this rule by any of her servants; or, on the other hand, that the acceptance of the proposed grant should be regarded as otherwise than as a final relinquishment by Sir Charles Darling of that service, and of all the emoluments or expectations attaching to it."

Now, it did not appear to him that these words necessarily implied any sanction to the Vote even in the event of Sir Charles Darling retiring from the colonial service. That case was indeed mentioned contingently, but not as a contingency which was contemplated as likely to arise. Indeed, he believed that, within a few days after the noble Earl had written the despatch, he was applied to by Sir Charles Darling for another appointment. The despatch referred to his retirement rather as a contingency not to be expected.

THE DUKE OF BUCKINGHAM asked the noble Duke to refer to a letter written by Sir Charles Darling in the previous October.

THE DUKE OF ARGYLL admitted that in the course of the correspondence, Sir Charles Darling might have alluded to the contingency of his retirement from the colonial service; but all he (the Duke of Argyll) contended for was that the noble Duke, having this despatch of his predecessor before him, was in no respect bound by any opinion therein expressed, but was perfectly free to decide what course should be taken in the event of that contingency being realized. Now, while in this country it was only an invariable rule of Parliamentary practice that no grant could be initiated, except by the Ministers of the Crown, in the colonies this rule was laid down by statute. Sir Charles Darling intimated his intention finally to retire from office, avowedly for the purpose of receiving this Vote, and it was under these circumstances that the question came before the noble Duke. It seemed to him that the despatch of the noble Duke of the 10th of May did amount to giving the initiative of the Crown to this grant, because it simply intimated, with reference to the despatch of his predecessor, that Sir Charles Darling had elected to retire from the service altogether; and if it was not intended to express any opinion on the subject the only object could be to throw the whole responsibility on the colonial Government. His (the Duke of Argyll's) interpretation that that despatch was an intimation of the consent of the Crown, was confirmed by the fact that on its receipt the Governor at once concluded that the noble Duke meant him to allow the discussion of the Vote in the Legislative Assembly, which could only be done by the consent, and at the initiative of the Crown. There were two questions for consideration—one whether such a grant should be proposed at all, and the other in what form it should be proposed. Now, this new quarrel between the two Houses had arisen, not merely from the grant itself, but also from the form in which it was proposed. The Vote was, in fact, a party Vote, intended to compensate Sir Charles Darling for what was regarded both in the Colony and at home as partizanship, and to fix a stigma on those Members of the Legislative Council who had opposed him; yet, under these circumstances, the £20,000 was inserted in the Estimates and included in the Appropriation Bill, being the most offensive course towards the Council which could have been adopted. The next despatch of the noble Duke was dated the 1st of January last, by which time he had apparently discovered the mistake he had made in allowing the re-opening of the question, or had at least become alive to the objectionable form in which the Vote had been proposed. Accordingly, in that despatch he expressed regret at the vote having been included in the Appropriation Bill; it being a grant exceptional in its character, and notoriously obnoxious to a large portion of the Legislative Council, and he condemned any attempt to coerce the Council into sanctioning it. If, he added, the Vote were considered at all, it should be in the form of a separate Bill, for under those circumstances the Council would not feel the same sense of unconstitutional treatment. Now, if the noble Duke felt so strongly the unconstitutional form of a "tack," why had he not at least told the Governor to insist, in the event of the Vote being introduced, on its being proposed in the form of a Bill, so as to place no unconstitutional duress on the Legislative Council? These were matters entirely under the control of the Colonial Office, and he regretted that the noble Duke, by taking the initiative and giving the consent of the Crown first to the introduction of the Vote at all, and next without any condition as to its form, had revived the quarrel between the two Houses which, in April, 1866, had been brought to a happy issue. He protested, too, against the noble Duke's argument that in the case of colonies enjoying constitutional government, we were unable to defend even our own honour with regard to the purity of the Governors sent to represent the Imperial Government. Such language was most dangerous for any Minister of the Crown to hold, and he hoped what had occurred in this case, would be a lesson to Colonial Secretaries not to allow, under any circumstances, the infraction of a rule which was clearly of Imperial importance and value, laid down solely with the view of preserving the honour of the Crown and the purity of its representatives in the colonies.

THE EARL OF CARNARVON said, that the earliest steps of these transactions had been sufficiently explained by the previous speakers to render any detailed reference to them unnecessary. The quarrel arose, as had been described, in 1864. In 1865 a majority of the Legislative Assembly passed a Protectionist Tariff, and, anticipating the opposition of the Council, the members of which were mostly Free-traders, they first levied the new scale of duties by simple Resolutions—a course utterly unwarrantable—and then tacked the Tariff to the Appropriation Bill. That

Appropriation Bill was rejected by the Council. Meanwhile, the Assembly continued to levy the new scale of duties by Resolutions. Actions were brought by the public creditors; and the Government adopted a system which he regarded as indefensible, and calculated to be very prejudicial to the interests of a colony—the system of confessing the debt and allowing judgment to go by default. The case came before the Supreme Court, where it was, without hesitation, decided that such a course was illegal. The dispute between the two Houses meanwhile continued; and an Address, signed, if not by the whole of the Council, by a very large number of influential men in the colony, was forwarded to the Crown. Sir Charles Darling, in transmitting that Address, coupled with it a statement to the effect that he should not feel himself at liberty to receive into his councils any of those whose signatures were appended to that Address. Mr. Cardwell, the then Secretary of State for the Colonies, justly took exception to that statement, and Sir Charles Darling was recalled on that ground, and on that ground alone. That was the position of affairs when he (the Earl of Carnarvon) received the seals of the Colonial Office. Meanwhile, the difficulty between the two Houses had undergone a sort of temporary compromise, and the attack on the Appropriation Bill had been abandoned. But then arose the question of the money grant to Lady Darling, made in lieu of to Sir Charles Darling, and it was with that case that he was called upon to deal. Now he had been blamed for having been too guarded in the answer which he had returned on receiving the first announcement of that grant. He might in the first place observe that, being fully alive to the gravity of the occasion, and knowing well, though he had been in Office only a fortnight at the time, how strong and bitter was the feeling in the colony, he was loth even in semblance to prejudge a question in which so many persons were interested. Sir Charles Darling having arrived in England, a correspondence ensued, and he thought at the time that correspondence ought to be brought partially at least to a close before he could regard himself as being in a position to act on the part of the Crown. He might, perhaps, observe that, independently of remonstrances and similar communications, he received no less than eight distinct personal applications on the part of Sir

Charles Darling; and if, in the course of a correspondence which grew into a most voluminous bulk, he had overlooked or neglected to deal with any point, the enormous mass of papers with which he had to deal really furnished him with some excuse. On the 28th of August Sir Charles Darling prayed for a tribunal to inquire into the circumstances of his recall. In answer he (the Earl of Carnarvon) declined to appoint any such extraordinary tribunal. On the 11th of September Sir Charles Darling prayed to be appointed to a position of equal rank and dignity to that of Victoria. On the 28th of September he requested half salary from the day of his leaving the colony to the arrival of Sir Henry Manners Sutton. In his reply he (the Earl of Carnarvon) regretted that he could not comply for technical reasons. On the 20th of October Sir Charles Darling requested the £20,000, which might be divided among his children. His (the Earl of Carnarvon's) reply was that he could not qualify his original view. On the 24th of October Sir Charles Darling requested full pension, an application which he declined to entertain at the time for technical reasons. On the 4th of November Sir Charles Darling requested a review of his recall in reference to a judgment of the Privy Council, to which he (the Earl of Carnarvon) answered that he must adhere to the conclusion which he had already expressed. On the 3rd of December Sir Charles Darling applied for the government of New South Wales; and in reply he (the Earl of Carnarvon) stated that it was not then vacant. On the 18th of January Sir Charles Darling wrote to ask whether Her Majesty's Government would oppose a petition to Parliament. Upon that point he (the Earl of Carnarvon) declined to give any pledge. The real questions that came before him were—whether the grant should be allowed; and, secondly, if so, the form in which the grant should be proposed. Now, with regard to the first question, he informed Sir Charles Darling and the Government of Victoria that it was impossible for Her Majesty's Government to be a party to that Vote. He would not enter into a discussion of the Colonial Regulation, which he regarded as one that was very just and right, for that subject had been fully dwelt upon in the course of the debate; but, in order to place his case clearly before the House, he would trouble them with one extract, and only one, because he thought that, by so doing, he could clearly show the view which he then entertained. On the 12th of October, by his directions, Mr. Adderley sent the following despatch to Sir Charles Darling:—

> "Lord Carnarvon sincerely regrets the severe pecuniary loss which your premature recall has entailed upon you; and it would have been personally gratifying to him to have been the channel of communication in conveying the Crown's sanction to your acceptance of the proposed grant. But, after a careful study of the Regulations in question, and of the reasons on which they are founded, Lord Carnarvon is forced to come to the conclusion that the rule was framed with the distinct intention of including such cases as the present, and that he could not now relax it without sanctioning an indefinite relaxation in other cases. Its principle is, that no Governor shall be allowed to expose himself to the temptation which may arise from expecting beneficial donations from the colonists, or any section of them, or to the suspicions which arise from his acceptance of such donations. Whether they are made directly to himself, or in trust for him, or to some member of his family, so that he may have the enjoyment of them, is obviously immaterial. The proposed grant, as, indeed, you appear to admit, is palpably a gift to yourself through Lady Darling. It may not transgress the rule in its letter, but would be a manifest evasion of its principle. It is for the interest of the public service that this principle should be firmly adhered to; and, under these circumstances, Lord Carnarvon is bound to withhold his consent, and distinctly to inform you that, if you desire to retain your connection with the colonial service of this country, you are not free to accept the Vote. Lord Carnarvon sincerely wishes that he could come to any other decision; but he is clear that this is his duty, though a very painful one."

In everything he had written he (the Earl of Carnarvon) sincerely compassionated the condition in which Sir Charles Darling was placed, and desired to avoid the use of any harsh expression towards him; but he submitted that there was nothing equivocal in the language which he employed. He stated distinctly that, if Sir Charles Darling accepted this grant, he would forfeit all claims to retain his connection with the colonial service of this country. Now, he contended that when his noble Friend the Secretary of State for the Colonies wrote that Sir Charles Darling had "elected finally to relinquish the colonial service," the words employed unintentionally involved a misrepresentation of his intentions. When a superior officer informed his subordinate that he could not take a certain course without certain effects resulting, it could not be said that he thereby gave him an option as to which course he could pursue, any more than the law made it optional for a man to commit a crime or not because it attached a penalty to the commission of the crime. If the noble Duke (the Duke of Buckingham) entertained any doubt as to his intentions, it would have been easy enough for him to have applied to him, and to have asked him what his views were in writing that despatch. He was at a loss to understand how Sir Henry Manners Sutton brought himself to lay the Vote before the Assembly, because there was certainly nothing in the despatches of the noble Duke to warrant it, unless papers had passed which were not before the House. The noble Duke the Secretary for the Colonies said that he was justified in the course he had taken by the fact that he (the Earl of Carnarvon) had not told the Governor that he was not at liberty to recommend this Vote. The truth was he had never contemplated such a proceeding on the part of the Governor. Had he thought for a moment that such a course would have been adopted by Sir Henry Manners Sutton, he should not have been content with a mere correspondence upon the subject; he should have felt it to be his duty to put upon paper in the most distinct terms he could have commanded the course he thought it would be right for the Governor of the colony to pursue under the circumstances. He agreed with the noble Lord that, at so great a distance as we are from Australia, it was impossible for the Colonial Office to regulate every minute detail in the conduct of the Governor of the colony; but, at the same time, they should give him such general directions as would serve to guide him in the course he should pursue. The noble Duke the Secretary for the Colonies made use of words, the import of which, he thought, he could scarcely have fully appreciated. The noble Duke said that whatever theoretical right the Colonial Office might have to interpose in such a case, such a right had practically ceased to exist. He begged to express his entire dissent from that view. The right of the Crown to interfere in such a case not only existed in theory but in practice; and if the Advisers of the Crown were assured that any constitutional principle were being violated, it would be their duty to interpose the veto of the Crown, and they ought not to shrink from the performance of that duty for fear of raising any difficulty between the colony and this country. It could scarcely, however, have been the intention of the noble Duke that the words he used should bear the interpretation they had put upon them. The meaning of the noble Duke probably was to intimate that, in a critical case such as that which had occurred in Victoria, it might be necessary for the Secretary of State to use those powers which belonged to him to induce the contending parties to come to some compromise, and thus to settle a question full of danger and difficulty. There was a point, beyond which the Secretary for the Colonies could not go; and there was a point beyond which he ought not to go. Supposing, for instance, that a public subscription had been voluntarily raised at Victoria, on behalf of the Governor, as a private individual when stripped of his office, it would undoubtedly have been impossible for the Crown to have interfered, and Sir Charles Darling, if so disposed, might have been perfectly free to have accepted it—except so far as his conscience was concerned. Of course, there was also a limit beyond which the Minister of the Crown might consider whether it was his duty to go upon a point of this sort. The question also arose, in what form the Secretary of State, when he did interfere, was to deal with the question, and in such a case the form would probably be the very essence of the matter. He could understand a Secretary of State—seeing the difficulty that existed in a colony like Victoria, seeing the suspension of all legislation and public works, and seeing the state of anarchy and confusion which existed there—saying that, under these circumstances, he need not pledge the Crown to an obstinate antagonism to the wishes of the colony, and that both parties having got themselves into a false position, it was his duty as far as possible, without violating the rights of the Crown, to find some mode by which he could extract them from the position in which they were placed. The course adopted, however, was not calculated to have that effect, and was not altogether consistent with the position in which the Crown ought to be placed in the colonies. The noble Duke the Colonial Secretary stated in one of his despatches that it was necessary, as a formal step, that the Governor should lay the Vote before the two Houses of the Colonial Legislature. He demurred to that entirely. There was another way in which the matter might have been dealt with far more satisfactorily. The Governor should not have laid the matter before the Assembly exclusively. An Address, in favour of the proposal, might have been proposed in both Houses by the colonial Minister, and sent up to the Governor, praying him to make a formal recommendation. Had that course been adopted, and had the Lower House been induced to abandon the pernicious system of "tacking," both Houses might have joined in a general Address to the Governor, and the matter would have stood in a very different position. He demurred altogether to the proposition of the noble Lord, that the course that was adopted was the one best calculated to bring the matter under the consideration of the Crown. He was aware that there were some noble Lords who had spoken that evening, who thought that under no circumstances should there have been a relaxation of the rule. He admitted that there was a good deal to be said in favour of that view of the case; but at the same time, in justice to the noble Duke the Colonial Secretary, he must say that, in this country, we could scarcely form an estimate how severe the struggle in Victoria had been with respect to this matter. Sir Henry Manners Sutton, in one of his recent despatches, used these remarkable words—

> "I do not conceal from your Grace the fact, not the less certain because it is lamentable, that a conflict such as that which is now in progress strains the Constitution of the colony, and I cannot assert that the Constitution will endure this strain if it should be prolonged."

It was very rarely indeed, in the recent history of colonial administration, that any colonial Governor had penned such a despatch as that; and the House was bound to suppose that it had not been written without a full sense of the importance which would be attached to its words. The position was, therefore, a very grave one. It was evident that confusion was growing into anarchy, and that the state of affairs might result in breaking up the Constitution and unfixing the foundations of civil government. What events occurred subsequent to this transaction? On the 7th July the Governor made his recommendation to the House of Assembly to pass the measure, which was agreed to and tacked on to the Appropriation Bill and sent up to the Council. The Council naturally objected to the proceeding, and then ensued the confusion which was so much to be deplored. On the 2nd of October the Governor, taking what appeared to be a still more objectionable course, recommended to both Houses the adoption of the measure. Under these circumstances, as might have been expected, the grant was rejected by the Council. In the meantime it was necessary to carry on the business of the year, it was necessary to find Ways and Means; and accordingly what he must call the old dodge was had recourse to—the Attorney General instructed the public servants to bring their actions against the State for any money due to them. These actions were brought, judgment was confessed, and the Governor was invited to sign the necessary warrants. But a collateral issue was raised on some other point; it was taken up to the Supreme Court, which pronounced a judgment which invalidated the whole proceeding. That judgment declared first of all that these payments were absolutely illegal, and that the Governor when he signed the warrants committed an illegal act. This was a very unseemly and discreditable state of things. To sum up the whole case, he—while admitting that there had been difficulties in the way of his noble Friend the noble Duke and of Sir Henry Manners Sutton—felt bound to say that he regretted the course taken by the Governor *proprio motu;* he regretted the form he had adopted; he regretted that the system of confessing judgments, which had been so strongly denounced by Mr. Cardwell in a very similar case, had ever been allowed in the colony; he regretted that his noble Friend the noble Duke had written despatches of rather ambiguous character; he regretted and strongly condemned the system of "tacking." No course could be taken more utterly inconsistent with the freedom of discussion. He could not understand how the noble Duke could speak so mildly of this as he had done in one of his despatches. He thought there was a fresh cause of regret in the unsatisfactory mode in which the legislative constituencies of the colonies were created, no securities being laid down which would prevent such a deadlock as had occurred. If that system was to be maintained, the just power and authority of the Council ought to be upheld; for if it was not upheld it would be far safer for the colony to have but one single Chamber of the Legislature. Nothing could be more dangerous than having a nominal responsibility vested in a second Chamber, which practically was never exercised. In view of all this correspondence he must bear witness to the extremely difficult position in which colonial Governors often found themselves.

Questions must from time to time arise which required not merely general knowledge of constitutional law, but of technical and professional details, which few could command. Their advisers were taken out of their own Governments and pledged to one political party in the colony. It was his fixed determination, had he remained in Office, to strive as earnestly as possible for the appointment of some one permanent and impartial legal adviser, who might be in a position to advise a colonial Governor as emergencies arose. He could not say that he regretted this discussion; he was satisfied that, conducted as it had been with so much temper, it would be useful to the colonies. No one could doubt the great wealth and prosperity of those colonies. He trusted they would fortify themselves by wise and useful legislation; that they would avoid presenting a spectacle so little seemly as that which, in the present instance, had been recently exhibited; that they would avoid the clash and antagonism of two Houses, and become models of that constitutional regard for liberty and law which distinguished this country.

The LORD CHANCELLOR said, he had been unwilling to stand in the way of the noble Earl (the Earl of Carnarvon) when he rose to address the House on this question, in which he naturally took so deep an interest; but he was anxious to enter at the earliest possible opportunity his protest against the constitutional doctrine which had been laid down by the noble Duke (the Duke of Argyll), who, he was sorry to see, had now left the House. He regretted also that his noble Friend who had just sat down had lent his countenance to that doctrine; for he ventured to say it was a doctrine which required most careful consideration at their Lordships' hands, because upon the propriety or impropriety of it depended the whole question of the free action of those constitutional institutions which had been granted to our colonies. Referring first to the question of policy with regard to a grant of money such as was proposed to Lady Darling, on that question they were fortunately all agreed. There was no one of their Lordships, he believed, who did not think that the rule of the colonial service on this subject was founded on considerations of the highest expediency, and that it ought to be maintained and enforced, so far as there was power to maintain and enforce it. But he asked them to bear in mind that the rule was, after all, only a rule of the service. It was not the law of the land. It was a rule very properly laid down in the circular despatch of Sir William Molesworth which had been referred to; but which the Government of Her Majesty could only enforce by treating any departure from or infringement of it as a forfeiture of all claim to future colonial employment. Many years ago, at the end of last century, when the subject of receiving presents from the Natives of India had attracted, for a well-known reason, great attention in this country, a law was passed dealing with the case of India; but it had never been extended to the colonies. The India Act of 1793 was extremely stringent and emphatic. It provided that the receiving by any Governor or any officer in India any present either to himself or any other person, under any colour or pretext, should be punished as a high crime and misdemeanour, subject to severe penalties, while the present itself should be forfeited to the Crown. There was no such law applicable to our colonies. There was a wholesome rule which applied to the subject; but there was nothing obligatory. The proposition made in the colony was to make a benefaction to the family of Sir Charles Darling, which might be highly impolitic, but would not be illegal or contrary to any Imperial statute. The majority of the Legislative Assembly and the Ministry of the colony being anxious to make a grant of that kind, what is the position of things at home? And here he took issue directly with the doctrine of the noble Duke (the Duke of Argyll), supported as it was by the noble Earl (the Earl of Carnarvon). The noble Duke said there were no means by which the Crown could preserve the purity of the reputation of its colonial Governors, or restrain, in cases which affected Imperial interests, the action of the colonial Legislatures by its veto. There were constitutional means by which that could be done. But the issue was, where was the point, where was the stage, at which the Government of the mother country could step in and interpose, and before which that interference would be in contravention of the free action of the colonial Government? Sir Henry Manners Sutton had a Ministry possessing the confidence of a preponderating majority of the Legislative Assembly. He knew—and he had made the experiment—that any attempt to form a Ministry in opposition to the Legislative Assembly must necessarily fail. He was therefore reduced practically to the option of placing confidence in his Ministry, or having no Ministry at all. That Ministry came to him and said, "Here are the Estimates of the year, and one of the things we mean to propose is a grant of £20,000 to Lady Darling, which we conceive the Queen thinks to be impolitic, and which the Government thinks is impolitic; but the Assembly insists on bringing it forward." If they laid down the rule that the Secretary of State of the mother country was to hold the leading strings of the Ministry of the Colony, to settle the system, and to tell them what they might propose and what they might not propose, then he (the Lord Chancellor) said, that the pretence of free colonial institutions was a delusion and a mockery. Unless they could supply the means—and he knew no such power in the Constitution—of providing the Governor of the colony with a new Ministry, who would command the confidence of the Legislative Assembly, and would be able to carry on the government of the colony, he must at that stage—and, mark, he said, only at that stage—take the advice tendered to him by his Ministry and allow the Legislative Assembly and the Council the opportunity of discussing measures which the Ministry proposed to bring forward. And when the 57th section of the Colonial Constitution Act was referred to, he begged to say the section had been entirely misapprehended. That section was only a repetition of a Standing Order of the English House of Commons—that no Vote of public money should be proposed except by the responsible Advisers of the Crown. And what was the object of the section in the colony? It was not to settle the relations of the Governor and his Ministry. It was to prevent Members of the Legislative Assembly, not being Members of the Government proposing the expenditure of the public money, and for that alone. Therefore when the noble Duke said, and his noble Friend (the Earl of Carnarvon) repeated, that it was the duty of the Home Government, at this stage, to have directed the Governor of the colony to place his veto on the introduction of any proposition to the Legislative Assembly of the Vote to Lady Darling, he (the Lord Chancellor) said that, unless with a view to dispense with his Ministry, that was counsel which no Government could agree to. No Government would remain in Office unless they had the confidence of the Governor of the colony, and the power of introducing measures to the Legislature which they deemed to be for the good of the commonwealth. This was the sole question in the case — the point of time at which the Governor of the colony should interpose to prevent free discussion. When a measure had passed the two Houses and was presented for the assent of the Governor, then the working of the institutions of the colony was in harmony with the working of the institutions of this country. No doubt the proposed grant was in opposition to the rule of the Colonial Office, but it was not within the spirit of the Constitution that such a measure should not be allowed to be discussed. What were the instructions given to a Governor of a colony? He held in his hand the instructions of Mr. Cardwell, sent out with Sir Henry Manners Sutton, that there was a certain class of measures with regard to which he was, unless he thought fit at once to refuse the Royal Assent, to withhold that Assent, and refer the measures to the Government at home. And one of the class of measures was this—any Bill whereby any grant of money or gratuity may be made to a colonial servant. His noble Friend said it was the duty of the Home Government not to allow any such measure to be considered. He (the Lord Chancellor) said that that was not the spirit of the Constitution of the colony. The spirit of the Constitution was that there should be free discussion. Let the Ministry who have the confidence of the Assembly propose a measure, and let it be discussed, and if one Chamber or the two Chambers rejected it there was an end of the measure; but if both Chambers passed it, then, and then only, it was for the Home Government to form their judgment and to say whether the Assent of the Crown ought to be refused. He desired to refer to history in order to correct a misapprehension into which some noble Lords had fallen as to what took place when the noble Earl (the Earl of Carnarvon) was Secretary of State. He thought there was nothing in what the noble Earl did open in any degree to misunderstanding or censure. He was really responsible only for this—for the answer given by him to the Address forwarded for presentation to Her Majesty. But what was the character of that Address? What was proposed was, that Her Majesty should be asked by the Address emanating from the Legislative Assembly, entreating Her Majesty to give permission to Sir Charles Darling to accept on the part of his family the proposed present—it was not to ask Her Majesty to give assent to any legislative measure to be proposed—it was to relax the rule of the colonial service and to allow Sir Charles Darling, although retaining office, to accept a gratuity that was proposed, and it is to that extent the answer given by the noble Earl was the answer that ought to be given, because the answer was that the rule that a Governor should not receive presents was laid down in the Colonial Regulations. It was under these circumstances impossible that Her Majesty should be asked to violate those Regulations, and that the acceptance of the present would be regarded as a relinquishment of his Governorship by Sir Charles Darling. It was refused, and properly refused. And what then took place? Sir Charles Darling, after some correspondence, proposed to leave the service, and to forfeit any expectations of any future employment under the Crown. With regard to the grant, the question was, as he had before stated, what was the proper time for the interposition of the Home Government. He (the Lord Chancellor) ventured to think that, it being proposed by the Ministry of the colony to introduce a Bill or an Estimate on the subject, it would have been entirely premature, before it was known what the Colonial Legislature would do with it, for the Secretary of State to enter into a speculation, and say, if such a Bill were passed, he was to take such and such a view of the case. And what was done? The Ministry — the Colonial Ministry— thought Sir Henry Manners Sutton told them they were entitled to place on the Estimates a Vote of this kind. The Governor imposed no impediment in the way of the Vote being considered. He expressed, however, no approval of the measure; on the contrary, by a memorandum he put on record his doubts of its policy. The Estimate was proposed and carried by the Legislative Assembly. And here again he must take leave to differ from the view of the subject which had been expressed by his noble Friend who had just sat down. His noble Friend contended that it was a great mistake to have a "tack" to a Bill which was sent up to the Upper House. But he seemed to forget that there was no "tack" at all in the case. A "tack" meant the addition by the Lower Chamber to a Money Bill of something which had nothing to do with such a measure. What, however, was done in the instance under discussion was, the Estimates being agreed to, to make a grant to Lady Darling, and to include the whole in the Appropriation Bill. In fact, that which was done in the colony was nothing more than was constantly done at home. The whole of the Supplies were included in the Appropriation Bill of the year, and were thus sent up to the Upper House. But that having occurred once, a similar circumstance would in all probability never occur again; for his noble Friend at the head of the Colonial Office had very strongly urged on the Governor of the colony the expediency of so arranging with his Ministry that should the proposal to make the grant be renewed, it should, as it were, be isolated from the rest of the Estimates, and be made the subject of a separate measure, so that it might go up to the Upper Chamber in that shape, and that its rejection by them might not interfere with the general Supplies of the year. That, he thought, was very wholesome advice; but then it was advice which might possibly be pressed too far. If, for instance, the Ministry, just as a Ministry in this country might do, should claim the right of including all their Votes in Supply in the Appropriation Bill, it was hard to say how far he, at that stage, could offer to such a proceeding an effective opposition. The whole question, he felt, was one of as great importance as could occupy their Lordships' attention, in the interest of the colonies; but he should look upon the present discussion with much greater alarm and anxiety than he did, did he think the House was prepared to lend its countenance to the doctrine that the Government of this country was to control and meddle with the action of the Ministers of a colony, by stating what measures should and should not be presented by them to the consideration of the colonial Parliament.

The Marquess of SALISBURY: I should not, my Lords, at this hour of the evening, venture to detain you, but that the doctrines you have just heard laid down by my noble and learned Friend on the Woolsack seem to me to be dangerous in their character and likely to do injury wherever they are heard or read of. I do not, therefore, like to let the speech of my noble and learned Friend pass without entering my protest against the doctrine enunciated, although that protest comes from so young a Member of the House as myself. My noble and learned Friend on the Woolsack gave us a history of the crisis in the colony of Victoria, which, though strictly accurate, was, I think, somewhat too technical in its colour. I take the real state of the case to be shortly this. A Governor has been removed by the Secretary of State from his office because he had shown too great a partiality to one party, and an inclination to support one branch of the colonial Legislature against the other. No sooner was the Governor removed than the branch of the Legislature which he favoured proposed to award him a grant of money for having departed from the Imperial policy. If this is to be permitted, it is simply saying that this country must look calmly on while one of the branches of the colonial Legislatures encourages the Governor to disregard the spirit of the orders he had received from home, and that defiance of the Imperial rule by one portion of the colonial Legislature is not to receive any notice, censure, or resistance from the Home Government. Now, this is a policy which, divested of its technical aspect, your Lordships will not, I am sure, approve, and which cannot if followed out be otherwise than productive of danger to the Empire at large. I, for one, cannot concur in the estimate of a colonial Governor's position which my noble and learned Friend appears to have formed. He seems to regard a Governor of a colony as a mere mute personage; as a gentleman who is to have no will of his own, who is to represent nothing, and who is to do, with a certain amount of obsequiousness and servility, whatever the Ministers who happen to be seated in his council-chamber may bid him. Before, my Lords, you endorse such a doctrine as that, I would ask you to consider for a moment the consequences to which it is likely to lead. Do not, I pray you, be hurried away by the argument of my noble and learned Friend that, if you allow a Secretary of State to interfere as suggested before a Money Bill is introduced, you are thereby stifling discussion. The course which the Houses of Parliament in Victoria ought to have pursued if they wished to raise a question of this kind is perfectly clear. It is a course which is adopted every day in this country. They might simply have addressed the Crown expressing their views on the subject of the proposed appropriation of this money, and then the opinions of the Governor and of the Secretary of State, under whom the Governor acts, would in due form have been taken and expressed on the matter. I, however, understand my noble and learned Friend on the Woolsack to lay down in the broadest and most distinct manner the doctrine that the Secretary of State was never to be permitted to interfere beforehand with any proposal which might be made by a Ministry in a colony where free constitutional government existed.

THE LORD CHANCELLOR: I did not say so. I said that a Secretary of State who so interferes would run the risk of placing the Governor in such a position that he would be no longer able to retain the Ministry who advised him, and that the Ministry would refuse to act under his dictation.

THE MARQUESS OF SALISBURY: I am sorry I misunderstood what fell from my noble and learned Friend; but I thought he censured very deeply any Secretary of State who should interfere in the way I have described. But, be that as it may, occasions may easily arise in which a Secretary of State may have before him only the alternative of interfering or allowing the honour of England to be tarnished. Let me suppose, for instance, that a colonial Ministry propose a Budget of repudiation. Will anybody contend that under such circumstances it would not be the duty of the Governor to put an absolute veto on the introduction of that Budget? I will not dilate on the results which might flow from that policy. In the case of our free colonies it might, perhaps, weaken the tie which subsists between them and the mother country; but, in the presence of such an argument, are we not entitled to ask what is the exact value of that tie? Might we not appreciate its value too highly? Would it not be better—a thousand times better—that the tie should be broken than that anything dishonouring to the Crown of England should be suffered? There is a large class with regard to which it might be the distinct duty of a Governor to impose a veto on the proposals of his contitutional advisers, and the duty of the Secretary of State to enforce the adoption of that course. But you may go further. The policy which a constitutional Ministry in a colony may recommend may, though not absolutely dishonourable to the Crown, be dangerous to Imperial interests all over the globe. They may recommend something which would be very embarrassing as regards the relations of the Crown to its colonies in every part of the world. This was partially so in the present case. If it be in the power of a colonial Assembly to buy off a Governor who represents the Crown, the power of the Crown is weakened throughout the entire extent of its dominions. It appears to me, therefore, a very dangerous doctrine to lay down that a Governor must not interfere with the action of his responsible advisers, and that the Secretary of State may not call a Governor to account for his conduct if he omits to do so at the proper time. I do not desire to enter more at present into the question which has been raised in this discussion. This is not an hour to do so; but I feel it is but a small portion of a very large subject which will more and more intrude itself upon your Lordship's attention. You will have more and more to consider how far the relation of England with those free constitutional colonies is a reality or a delusion. My noble and learned Friend says that free constitutional government would be a mockery and a delusion if the Secretary of State might interfere in the manner for which I contend and prevent discussion. But, my Lords, the connection between the Crown of England and its colonies will, in my opinion, be indeed a mockery and a delusion if his doctrine is allowed to prevail. Be the result what it may we must take care that whatever power we retain over them shall be a real power and that it shall be freely and honestly exercised for the good and the honour of the Empire. The moment circumstances arise in which it may appear to us that we can no longer exercise that power for those great ends the best and most honourable course for us to adopt is to resign it altogether.

**Earl GREY** said, that the noble Marquess who had just sat down (the Marquess of Salisbury) had so ably combated the doctrines laid down by the noble and learned Lord on the Woolsack that it was needless for him to trouble their Lordships with some observations which he otherwise should have wished to address to them. At the same time the subject was of such grave importance that he might be permitted to add a few remarks to those just made by the noble Marquess, and in which he entirely concurred. He thought it absolutely necessary to the honour and interests of this country, if the connection between us and the colonies was to be continued, that we should maintain some degree of authority over them; and that authority could be exercised only through the Governor. On the other hand, the Governor could not be an effective instrument for exercising that authority unless his independence was preserved by a strict adherence to a rule laid down, not only within the last few years, but almost ever since we had had colonies. He believed that, as early as the time of Charles II., instructions to the same effect as were now given on that point were issued to our colonial Governors. Such Governors had certainly from an early period been prohibited from accepting any reward from the colonies. It had been argued that that prohibition applied to Governors only while in the service of the Crown; and that in regard to India, Parliament had passed an Act expressly forbidding our public servants to accept gifts from Native Princes, which Act did not operate elsewhere. It was perfectly true that the Act referred to did not apply to persons who had been in the colonial service of the Crown, and that the severer rule was confined to those who had served in India. But this by no means implied that Parliament had ever meant to sanction the making of grants to those who had been colonial Governors. It arose from the fact that legislation was necessary to restrain the practice in the one case and not in the other. If a Native Prince, not under the control of the British authorities, made a gift to a person who had held a public office in India, perhaps to reward him for some neglect of duty, there were no means to prevent so dangerous an abuse till it was made penal to accept such gifts. But in a colony no such case could arise, because the law invested the Crown with authority to prevent such a grant being made, by refusing its assent to any Act for making it. In another part of his speech the noble and learned Lord's argument, if admitted, would go to the length of making a colonial Governor a mere machine without the power of exercising any control whatever over his advisers or the Legislature. The noble and learned Lord said that the Governor could not have refused to allow a grant to be proposed, because if he had he would have been left without a Ministry. But if to avoid that inconvenience was to be regarded as a sufficient reason for permitting the grant to be proposed, it would equally be a reason for not afterwards withholding his assent from the Bill in which the grant was included. Indeed, it would be far more difficult for the Governor to interfere with the grant at the later than at the earlier stage of the proceedings; because when the Appropriation Act came up to him, that grant to the former Governor would be only a single item in it, and therefore the Governor would only have the option of either rejecting the whole of the Supplies of the year or of allowing the Vote to the ex-Governor to pass. And if he attempted to do that he would meet with precisely the same difficulty from his Ministers as if he had at first declined to authorize their recommending the grant. If he refused his assent to the Appropriation Bill his Ministry would resign; and therefore the coercion put upon the Governor would come at a different time, but even more certainly than by the other course. If the Governor in the present case had had plain and distinct instructions from the first from the Secretary of State, informing him that Her Majesty could not be advised to sanction such a proposal so contrary to the established rule there would have been no risk of that kind. His Ministers would have felt that if they resigned they would only throw their power into the hands of their political adversaries, and therefore an Instruction from home to the effect just indicated would have been an effectual protection against all the mischief that had arisen. It had been clearly shown that a great mistake had been committed in this case, and that owing to the want of proper firmness the colony of Victoria had been brought into a most unfortunate situation. Before sitting down he wished to say he thought it the duty of Her Majesty's Government to consider the position of extreme hardship in which the public servants of the colony were placed through the continued non-receipt of their salaries. One case in particular had been accidentally brought under his notice, in which a public servant who had faithfully served in the colony for ten years, under the promise of promotion and ultimately of a pension, was at present, owing to the failure of Supplies, left actually without the means of subsistence. That was only one instance out of many, for the entire body of public servants in the colony had long been deprived of their incomes, the public works had been stopped, and the whole affairs of the colony thrown into a state of deplorable confusion. It seemed to him it would be a useful function which the Home Government migh exercise for the benefit of the colonists, when party spirit ran so high and produced such evils as now prevailed in Victoria, to step in as a moderating power and suggest some mode of accommodation that both parties could fairly accept. In this case there was a mode of accommodation which he thought might be proposed and accepted. He did not hesitate to express his opinion that under no circumstances ought Her Majesty's Government to admit the proposed grant to be given to Sir Charles Darling. He did not think it ought to be allowed that the recall of a Governor under such circumstances should be converted into a reward. At the same time he felt that the consequences of his recall fell with the greatest severity on Sir Charles Darling, who, after all, had committed an error of judgment only. Instead of giving that large grant to Lady Darling, he would suggest that the colonial Legislature might consent to settle on Sir Charles Darling the pension which under the Act giving pensions to colonial Governors he might have been entitled to if he had served a few years longer—the value of such a pension would be far less than the proposed grant, and would still leave the Governor under what would be a substantial punishment for the fault he had committed, while it would diminish its extreme severity. In that manner he might be greatly relieved from the severe consequences which had fallen upon him. There was another point that he wished to notice. People seemed to think that because in this country the refusal of the Supplies by the House of Commons necessarily compelled, sooner or later, the Government to give way, the same thing was the case in the colonies. Nothing could be more entirely erroneous. In their relations with the Imperial Government the colonial Legislatures stood in a different position from the House of Commons. He could speak from experience on that point. He knew that the refusal of the Supplies in a colony had not had the effect which was apprehended. The case of the colony of British Guiana illustrated and confirmed his assertion in that respect. In the case of Demerara where the colonial Legislature threatened to withhold a part of the accustomed grants in the hope of coercing the Home Government to a change in its commercial policy, instructions were sent out that the services for which grants were not voted should cease. Instructions were given to the Governor that if the grants necessary for maintaining the criminals in the prisons should be refused, they should be let out; that if the usual colonial allowances for the troops were not provided for, they were to be sent to Barbadoes, and that it must be for the colony to consider whether they would incur these consequences. The result was that the threat to refuse the Supplies proved to be an utter failure. If the noble Duke (the Colonial Secretary) had instructed the Governor in the present case not to include this grant in the Estimates, and if thereupon the Ministers had resigned and no others had been found, it would have been the colony that would have suffered. He had no doubt, however, that other Ministers would have been found. No one would say that if the colony refused to adopt the course pointed out by the Home Government any attempt to compel them by force should be resorted to; but the colony enjoyed, by virtue of the connection with the mother country, protection and support that were of the utmost value, but which were only to be given under certain conditions; and the colonists ought to understand that if those conditions were not fulfilled that support and protection would cease. The noble and learned Lord on the Woolsack argued that such a policy would destroy the ties between this country and colonies enjoying free institutions; but there was not the smallest ground for that assertion. The cases would not be numerous, and of course the power of the Crown should be exercised with discretion. In cases, however, where the honour of the Crown and of the Empire at large was concerned it was the duty of the Ministers of the Crown in this country to make it distinctly understood that they would firmly exercise the powers intrusted to the Crown by the Constitution, and then it would be for the colonies to decide. The moment he saw the alterations which the Victoria Legislature had not only been permitted but encouraged to make in the Constitutions established in that colony by the Act of 1850, he felt convinced that, sooner or later, there must come a collision between the two branches of the Legislature; for, while the one branch was made to consist of a limited number of members elected for life, the other was elected by the widest possible suffrage, and in the event of a difference of opinion arising between them, as was to be expected, no means were provided by the Constitution for extricating the colony from that difficulty. He could not but urge upon the colony to consider whether even now it would not be advisable to repeal or amend the Acts by which the Constitution, as settled by Parliament in 1850, had been so injudiciously altered. By the Act of 1850, by which the colony of Victoria was separated from New South Wales, a Constitution was given to it precisely the same with that which had for several years been in successful operation in New South Wales. Under this Constitution, the Legislature consisted of a single Chamber, two-thirds of the members being elected, and the others nominated for the duration of the Parliament by the Governor. To return to this system need not involve any abandonment of what is called responsible Government, on the contrary, it would, he thought, enable responsible Government to work much more satisfactorily and easily than it had done under the present system. Such was the equal division of parties in some of the colonies that there were changes of Ministry every two or three months, and sometimes oftener, and no one fixed or settled line of policy could be pursued. If the old form of Constitution were reverted to, and if a single Chamber were established, containing two-thirds of elected members and one-third nominated by the Crown, but really by the Minister of the day, the nominated Members would add weight to the scale and render Government more permanent. In his opinion these colonies had not the proper materials for constituting two different Chambers.

The LORD CHANCELLOR said, he desired to correct a misunderstanding as to what he had stated. He was very far from saying that circumstances might not arise of such transcendent importance as would justify the Home Government in issuing positive Instructions to the Governor of a colony as to the course which his Ministry should take. What he had said was that if the Ministry of a colony, supported by the full approbation of the Legislative Assembly and of the Home Government, recommended the introduction of a particular measure, and if the Home Government undertook to require the Governor to refuse his assent to the introduction of that measure, they would undertake the responsibility of bringing about that which was the natural consequence—a change of Ministry; and would thereby cause a deadlock in the colony in another form. With regard to the suggestion of the noble Earl (Earl Grey) that a pension should be voted by the colony to Sir Charles Darling, instead of the sum of £20,000 being given to Lady Darling, it would, no doubt, be looked upon with great favour in the colony, but it would accomplish the object they desired by an annual payment instead of a capital sum.

Lord KINGSTON quite agreed that some compensation should be provided for Sir Charles Darling; for no doubt he supposed that on resigning his office he would be entitled to compensation.

House adjourned at a quarter before Nine o'clock, to Monday next, Eleven o'clock.

# HOUSE OF COMMONS,

## *Friday, May* 8, 1868.

MINUTES.]—Supply—*considered in Committee—Resolutions* [May 7] *reported.*

Ways and Means—*considered in Committee*—Exchequer Bonds (£600,000).

Public Bills—*Ordered*—Weights and Measures (Scotland)*; Jurors' Affirmations (Scotland).*

*First Reading*—Customs and Income Tax * [108]; Weights and Measures (Scotland) * [109]; Jurors' Affirmations (Scotland)* [110].

*Referred to Select Committee*—Judgments Extension * [34].

*Third Reading*—Documentary Evidence * [97]; Artizans' and Labourers' Dwellings [88], and *passed.*

### POST OFFICE RETURNS.—QUESTION.

Mr. MOFFATT said, he wished to ask the Secretary to the Treasury, Why the Annual Report of the Postmaster General for 1866, presented to the House on the 12th August 1867, has not yet been delivered; and, when the Annual Report for 1867 may be expected?

Mr. SCLATER-BOOTH said, in reply, that he was unable to give an explanation of the reason why the printing of the documents had been so long delayed. As, however, the delay had taken place, it was thought that it would be more convenient to print and present the Returns for the last two years together. They would, probably, be laid on the table of the House in a fortnight or three weeks.

### SCOTLAND—EDUCATION.—QUESTION.

Admiral ERSKINE said, he wished to ask the Lord Advocate, If it is the intention of Her Majesty's Government to bring in a Bill on the subject of Education in Scotland during the present Session?

The LORD ADVOCATE said, in reply, that in consequence of the important and pressing matters which had occupied the attention of the House, and must continue so to do for some time to come, it was not the intention of the Government to proceed with the measure referred to by the hon. and gallant Member.

### ARMY—BALL CARTRIDGE.—QUESTION.

Mr. HAYTER said, he would beg to ask the Secretary of State for War, Whether, having regard to the increased danger to life from the use of Breech-loaders in the hands of Soldiers either insane or of intemperate habits, as evidenced by the recent occurrences at Horfield Barracks, near Bristol, he will undertake to advise with his Royal Highness the Field Marshal Commanding in Chief, as to the propriety of withdrawing the twenty rounds of Ball Cartridge now in the possession of all Non-commissioned Officers and Men of the British Army, and of serving out the same to the Troops on parade when about to proceed on military duty?

Sir JOHN PAKINGTON said, in reply, that he had not had the opportunity of seeing the Commander-in-Chief upon the subject to which the hon. Member's Question related. Stating merely his individual opinion, he thought the occurrence of a single crime, however atrocious and much to be deplored, would not be cause sufficient for taking a step which would be felt as a slur by the whole Army, the ammunition having from time to time been confided to the care of soldiers.

### UNITED STATES—THE "SPRINGBOK." QUESTION.

Mr. BENTINCK said, he would beg to ask the Secretary of State for Foreign Affairs, When the Papers relating to the condemnation of the cargo of the British barque *Springbok*, by the Supreme Court of the United States, will be laid upon the Table? Portions of those Papers had been asked for four years ago.

Lord STANLEY, in reply, said, these Papers were now before the Law Officers of the Crown, but he believed a portion of them might shortly be produced. If his hon. Friend would explain privately which of them he wanted, no doubt he would be able to procure them.

### SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

### ADMINISTRATION OF THE ARMY.

#### RESOLUTION.

**Mr. PERCY WYNDHAM**, in rising to move that, in the opinion of this House, it would be advantageous and convenient to substitute a system of weekly in lieu of daily payments to those non-commissioned Officers and Soldiers of the Army whose previous conduct might warrant the extension of this indulgence, said, he was of opinion that this indulgence would be of great benefit to soldiers of good conduct. The driblets of pay they received daily were of very little use to them, being so small after the regulation deduction. Raising the soldiers' pay had led to no less than 26,000 enlistments, and he believed the proposal he had in view would be attended by the most advantageous results, and would greatly encourage and facilitate the habit of saving. That proposal was a very simple one, and it had the great merit that it would not add one farthing to the Estimates. What he proposed was, that non-commissioned officers and soldiers should be paid weekly instead of daily. It was quite clear that they would prefer it, as even now they often got the captain to keep the money for them until the end of the week. The large number of men offering themselves for re-enlistment had enabled commanding officers to refuse men who had been guilty of misconduct, so that the men in the ranks were now of a class clearly entitled to favourable consideration. There had been instances before Delhi, and in Canada, and elsewhere, in which the ordinary rule of daily payments had been departed from, and the change had given great satisfaction to the men. There was recently a case in which, when some troops were sent to Malta, the officers of some of the regiments directed the arrears of ninety days' due—owing to the advance in the amount of soldiers' pay made last Session, on the recommendation of the right hon. and gallant Member for Huntingdon (General Peel)—to be paid in one payment, which amounted to 15*s*. or 20*s*. each man; and not only was this regarded as a boon, but the conduct of the troops who received it was such as fully to justify the confidence reposed in them by the officers; while, on the other hand, in other regiments at the same station, those arrears were paid in driblets; not only did the money do the soldiers very little good, but their conduct was not so praiseworthy as that of the men who received it in a lump sum. He also instanced the case of the payment of the men who were sent to Canada after the affair of the *Trent*, and stated that they much approved of the system of weekly payments. On these grounds, he hoped that the Government would give the question careful consideration.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it would be advantageous and convenient to substitute a system of weekly in lieu of daily payments to those non-commissioned Officers and Soldiers of the Army whose previous conduct might warrant the extension of this indulgence,"—(*Mr. Percy Wyndham*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

**Sir JOHN PAKINGTON** said, this was one of those matters affecting the internal economy of regiments in which he should not venture to interfere with the discretion of His Royal Highness the Commander-in-Chief. There was, no doubt, a good deal to be said in favour of the view advocated by his hon. Friend, and the matter, he promised, should not be lost sight of. Indeed, he believed, the Commander-in-Chief was about to make the alteration.

**Mr. PERCY WYNDHAM** said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn*.

### REPRESENTATION OF THE PEOPLE (SCOTLAND) BILL.—QUESTION.

**Mr. GLADSTONE** said, the Committee on the Scotch Reform Bill had been fixed for Monday; but he understood that the right hon. Gentleman opposite (Mr. Disraeli) had arranged that the Navy Estimates should be taken first on Monday; and the Scotch Reform Bill afterwards. Now, as he understood, the Motion of his hon. Friend the Member for Liverpool (Mr. Horsfall)—a Motion relating to the restrictions upon the importation of foreign cattle

—which has been delayed many times, and in which great interest is felt—will be taken before Supply, and he did not think they could reckon on getting through that discussion in less than two hours. Then he felt that the Navy Estimates would carry the right hon. Gentleman far through the night. Now, he should be glad if, for the convenience of the House, they could understand what arrangement the right hon. Gentleman proposed?

MR. DISRAELI said, he was aware of the circumstances to which the right hon. Gentleman had called attention, and he had been consulting with one of his right hon. Friends on the subject at the moment when the right hon. Gentleman rose. He did not think it would be satisfactory either that the House should be in any doubt about the time at which the Scotch Reform Bill would come on or that the Bill should be brought forward at a late hour. He thought, therefore, it was better to have it understood that the Bill would not be taken on Monday. The Boundary Bill was the first Order for Thursday night. He would put the Scotch Reform Bill down as the second; and if it could not be brought on that night it might be fixed for another day.

MR. CRAUFURD said, that his conviction was that the discussion on the Boundary Bill would occupy so much time as to throw the Scotch Reform Bill over. He therefore hoped that the right hon. Gentleman would fix the Scotch Reform Bill as the first Order. So important a Bill should not be placed second.

MR. DISRAELI suggested that they had better confine themselves at present to arranging that the Bill was not to come on next Monday. On Monday they could make further arrangements.

## INFECTIOUS DISEASES.

### MOTION FOR AN ADDRESS.

SIR J. CLARKE JERVOISE said, that in rising to move for an Address to the Queen praying for an inquiry into the spread of disease by infection, with a view to legislation on the subject, he made no pretence to science beyond that knowledge which was founded upon facts. His only logic in connection with this matter was the inexorable logic of facts. This question he (Sir J. Clarke Jervoise) considered to be one of unbounded magnitude, and of the greatest possible interest. When he brought forward the measure last year he was answered by the noble Lord the Vice President of the Committee of Council, who said that all infectious disorders were contagious, but all contagious disorders were not infectious, and stated also that a few Gentlemen connected with the Privy Council were acquainted with all disorders. It had been stated by the Medical Officers of the Privy Council that every disorder was descended in regular pedigree, and that, though we could no more tell the first parent of disease than we could tell the origin of species, the consequence might be predicted with the certainty of a chemical experiment. He confessed, however, his inability to perceive how, according to the rules of logic, it was possible to argue with the certainty of a chemical experiment upon premises which were altogether uncertain. The *Pall Mall Gazette* had spoken of his Notice as one that perplexed the student of the Notice Paper of the House of Commons. He did not, however, think that the services of any literary Brothers Davenport were required to unravel the meaning. But if he was altogether incomprehensible there would be nothing singular in that. Last year, on speaking to an eminent Member of that House who had taken a leading part in connection with the Cattle Plague Bill, that Gentleman observed to him that he knew nothing at all about the matter. "What!" was his exclamation, "and you a Member of the Government which brought in the Bill! have you been legislating on what you do not understand?" The reply was, "Certainly; if we only legislated on what we understand there would be no legislation at all." He was convinced that an inquiry into the subject would result in great good to all ranks of the community from the highest to the lowest. Last year he mentioned that leprosy was a type of all that had been said of the dangers and communicability of disease by the process of infection; and he wished now to point out that the mode of dealing with leprosy was the type of many of the mistakes, follies, and crimes which had been perpetrated in the name of humanity. There were still remains existing of the leper-houses which once were so numerous in this land. The disease still prevailed in India and in Syria, and since last year there had been a remarkable case at Alexandria, where Dr. Simonides died in the autumn of leprosy. Thus, we had the disease descending from the original parent of leprosy, and showing itself in the descendant of the original Simon. Referring to smallpox, he mentioned the case at Aylesbury of Emanuel Cooke, who twice escaped from the workhouse, was taken before the magistrates, and sentenced to fine or imprisonment. It was also said that one of the Royal Family had suffered from smallpox; and we could only hope that Royal princes were at least properly vaccinated. It was further reported that the Secretary of State for War had suffered from something of the kind. One statement said it was chicken-pox, and another said it was something else. He understood on good authority it was smallpox. What with chicken, and cowpox, it only required a little change in age and sex to make a cock-and-bull story; and he was sorry that the right hon. Gentleman was not present to give the House some information on the matter. At all events, we must hope he was not exposed to the isolation inflicted on the pauper at Aylesbury, and that he was not denied the consolation of his friends. The Compulsory Vaccination Bill he had opposed, because it was not fair to subject poor people to the trouble it would entail upon them. It was cruel to ask a poor woman in the country to travel four miles, perhaps, in the depth of winter or height of summer for the purpose of getting her child vaccinated, merely upon the supposition that the disease might be communicated, which had not been proved in a single instance. There was a town (Sheffield) where a meeting of the inhabitants was held in consequence of the surgeon to the troops who were quartered there having made a report that some of the soldiers in the barracks were attacked with smallpox, and that there were numerous cases in the town. But this latter statement must have arisen from a mere guess on the part of the surgeon; that because there was smallpox in the barracks therefore it must be in the town; for when an inquiry was made hardly a single case could be found in the town; and on going back to the barracks the cause of the disease was traced plainly enough to the defective state of the arrangements there, and on removing these the disease disappeared. When the noble Lord stated last year that smallpox was absolutely preventible by vaccination, he must have known that, according to the Report of the Small pox Hospital, in round numbers, 81 per cent of the cases which entered that hospital were vaccinated cases. It might be that the majority of deaths occurred amongst those who had not been vaccinated—probably they could not read or write; but the fact he had stated showed that vaccination did not prevent a recurrence of the disease. With respect to typhus fever it was known that it was produced in many cases by foul water, by defective drainage, and by other kindred causes, which led to blood-poisoning. Several recent cases of gaol fever occurred at Devizes—where the Judge ordered the windows of the Court to be opened, and the jury sat with their hats on for fear of infection. Had the Judge never heard of John Howard, nor ever seen a Sister of Charity going forth on her mission of mercy?—he would also refer to outbreaks of typhus fever at the village of Terling, in Essex. That outbreak was self-originating, but was said to be due to the defective state of the water supply of the village. With regard to quarantine, he had a memorial signed by many gentlemen, none of whom probably would support him in all his views, who nevertheless saw the absurdity and cruelty of quarantine. A large amount of evidence had been obtained in reference to the cattle plague, and that evidence was not worthy of consideration as to the origin of the disease. The present laws on the subject of infectious diseases were crude and cruel. How was it possible to put such laws in force? Called on as a magistrate to enforce them, he had felt that there is a time when duty ceases and conscience begins; and he had declined any longer to act in administering these laws.

Mr. LIDDELL, in seconding the Motion, said he was in hopes that even in the midst of political excitement the importance—he might almost say the necessity—of this subject would induce the House to give it a very careful attention. His great object was to prevail on the hon. Baronet and the House to allow the scope of this inquiry to be extended to a point beyond that contemplated by the hon. Baronet. He wished to extend the inquiry to a class of diseases unfortunately too prevalent, and to see whether the provisions of the Contagious Diseases Act might not be applied to all the great towns of the kingdom. Many Members of the House were aware that there existed an important central association in London, whose object was to have that Act extended to the civil population of our towns, and, further, very many great towns in the country were prepared to ask for the boon. Within the last few days, the great town of Newcastle, with which he was connected, had held a very important meeting upon the subject, and was prepared to ask the House to extend the Act to them, and he desired to add his voice to theirs. The difficulty that was felt in debating this subject was that one was precluded from bringing forward in public discussion the facts and evidence necessary to prove the case; but those facts and that evidence would be forthcoming at the right time and in the right place if the inquiry were extended as suggested. In many of the great towns, as he had said, a remarkable unanimity of opinion had existed on this question, and their case rested, not upon panic or excitement, but upon the sober observation of medical men. The evil was a social evil in the truest sense, because even the sanctity of home was stealthily broken in upon by this intruder, and thousands of children were swept away, or permanently affected by its ravages annually, and the seeds of divers diseases were thus sown broadcast among the population. In order to effect the purpose he had in view it would only be necessary to exclude from the Motion of the hon. Baronet the words "distinguished from contagion," so that both infectious and contagious disorders might be made the subject of the Inquiry. The hon. Baronet had designated the Compulsory Vaccination Act a cruel law; but that epithet certainly did not apply to the Contagious Diseases Act. The military and naval authorities could bear testimony to the fact that the Contagious Diseases Act had been attended with considerable benefit to those places in which it had been in operation; the unfortunate victims of these maladies hailed the medical surveillance as a boon, and that Act might now, he thought, be extended to the large centres of our population with such an amount of advantage to the public welfare as it was difficult to estimate. The right hon. Gentleman the Secretary of State for the Home Department, in dealing with great social and sanitary questions, was not a man to be appalled by difficulties, and he appealed to him to grant the Inquiry now asked for.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to cause such inquiry to be instituted into the spread of disease by infection (distinguished from contagion) as may tend to check legislation and action in cases unsupported by the evidence, which in times of excitement saves a people from the commission of great crimes or great follies,"—(*Sir Jervoise Clarke Jervoise,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

LORD ROBERT MONTAGU stated that the object of the hon. Baronet was already being carried out by the Medical Department of the Privy Council. The spread and the origin of disease was the subject of scientific study year by year, and of prolonged and accurate investigation. Annually there is laid before Parliament every new experience which is gained by that Office, or which is arrived at throughout the country, or even abroad. As examples he might mention the sixth Report of the year 1864, which gave the result of an interesting inquiry on the spread of communicable diseases in hospitals; the Report of 1866 dealt with the practice of quarantine, and showed it was of very little use as a preventive of yellow fever, although it might be required for commercial reasons. If we did not impose it here on some ships, all our ships would be put in quarantine abroad. The medical officers also made special experimental researches; in 1867 a minute investigation touching the communicability of cholera was made, and anyone who had read that Report would see that no pains or expense had been spared to make the inquiry exhaustive. This year a special investigation was being made regarding the communicability of phthisis and the allied diseases by means of inoculation. The hon. Baronet had complained that the *Pall Mall Gazette* had spoken of his Motion as unintelligible; he would, perhaps, pardon him if he were obliged to agree with the *Pall Mall Gazette.* He had been greatly perplexed as to the meaning of the Motion, and had chanced to fall into the same error as the hon. Member for Northumberland (Mr. Liddell). The terms of the Motion suggested another kind of infection, and a mode of infection which was common in large towns, and especially in our chief military stations; the terms of the Motion were these—

"The spread of disease by infection (distinguished from contagion) as may tend to check legislation and action in cases unsupported by the evidence, which in times of excitement saves a people from the commission of great crimes or great follies."

He, therefore, had come down to the House under the impression that the hon. Baronet intended to refer to the Contagious Diseases Act; the Secretary for War had been under the same impression, and only a few minutes ago had discovered that he (the Secretary for War) might be released from the trouble of reply, and that he (Lord Robert Montagu) was to be the victim of the hon. Baronet's speech. It appeared now, however, that the hon. Baronet desired a Royal Commission to inquire into subjects at present dealt with by the Medical Officer of the Privy Council. If he desired the Commission to travel over the same ground as the medical officers, it would obviously be unnecessary; if he desired it to extend its operations beyond the scope assigned to that officer, he would be simply asking the House to re-constitute the Medical Department of the Board of Health, which Parliament had abolished in 1858. In either case the inquiry he asked for would be conducted under less rigid control than that which ruled the Medical Department of the Privy Council, and would involve a far larger expense than that which was now voted; and for these reasons he recommended the withdrawal of the Motion.

Mr. BRUCE said, he believed the hon. Member for South Northumberland (Mr. Liddell) was mistaken as to the object of the hon. Baronet's Motion. As he understood the case, the hon. Baronet wished for an inquiry into the subject of infection, seeming to be under the impression that infection was different from contagion. In this view of the case, the *addendum* of the hon. Member was not applicable; but he noticed that the hon. Baronet approved the proceedings of a wrong-headed man, at Sheffield, whose sole object in life seemed to be to incite people to resist the beneficent law of vaccination. He (Mr. Bruce) therefore desired to say a word to correct the harm which might result from the observations of the right hon. Baronet. During the last few days a Return had been made as to the results of the Vaccination Act in Ireland since 1864, when compulsory vaccination was first enforced. The Commission stated in that Report that the smallpox returns from workhouse fever hospitals in 1867 showed 4 deaths as compared with 149 in 1864, or 1-37th. The returns of smallpox medical officers of dispensaries showed that only 24 cases had been treated in the half-year ending September, 1867, while 850 cases had been treated in the corresponding half-year of 1864. It also appeared that, out of 153 Unions in Ireland, there were only 4 in which smallpox existed at the time the Report was made. Then the Return showed that in 1864 the deaths from smallpox were 853; in 1665, the number was reduced to 347; in 1866, it was reduced to 187; and in 1867 only 20 died. Considering what an amount of misery had, as this Return showed, been prevented by the Vaccination Act during these few years in only one portion of the kingdom, he could not permit derision of vaccination by a Member of the House of Commons to pass without rebuke. He agreed with the hon. Member for Northumberland on the question he had raised—he thought the Contagious Diseases Act might be beneficially extended to the large towns — but he recommended the hon. Member to bring forward a special Motion on the subject.

Amendment, by leave, *withdrawn.*

## TURNPIKE TRUSTS.

### MOTION FOR AN ADDRESS.

Mr. CLIVE said, he rose to call attention to the Seventeenth General Report on Turnpike Trusts made by direction of the Secretary of State for the Home Department under the Act 3 & 4 *Will.* IV., c. 80. In 1864, he had the honour of being Chairman of a Committee on the subject, of which the Under Secretary for the Home Department (Sir James Fergusson) was a member; so that, whenever during the past year or two he had been asked by his Friends what progress had been made in the matter, or rather, why no progress at all had been made, he answered that there was a Gentleman at the head of that Department of Home Affairs who was thoroughly acquainted with the subject, and would, no doubt, do it justice. He had believed there was every reason to hope for favourable results from the present Administration. But what had occurred? Under the former Administration, 120 or 130 Turnpike Trusts where scheduled for abolition; but since the accession to Office of the present Government — and especially under the Administration of the noble Lord, now a Governor in Australia (the Earl of Belmore)—a retrograde course had been pursued, and the policy adopted for many years past with regard to turnpikes had been exactly reversed. In the first paragraph of the Report, credit was taken for a great improvement in the work in connection with this subject in the Home Office. He objected that a reflection should be thrown upon the administration of the Home Office in former years; and contended that no credit whatever was due to the present administration, notwithstanding the claim which had been put forward. The official Report, contrary to all precedent, was taken up with two or three pages of the old stock trumpery arguments, which had been answered again and again in favour of the continuance of turnpikes; and the statement, moreover, was entirely *ex parte*. It certainly was disheartening to find that, after so many years' effort to get rid of the evils of the turnpike system, renewed impediments should be thrown by the action of the Government, or by the influence of their supporters, in the way of useful legislation.

Mr. KNATCHBULL-HUGESSEN, in seconding the Motion, said, that all that the Home Office could do was to press the clerks to produce the returns as soon as possible. He concurred in the complaint made by his hon. Friend (Mr. Clive), and must further complain that the action of the Home Office had led to the introduction, for the first time, of arguments into the annual statement with reference to trusts. He was aware that the Act of Parliament stated that observations might be made in the Report; but the Legislature never intended that it should contain a series of arguments which would enable persons who took a peculiar view to quote an official document in support of it, and to assert that it was the judgment of the Home Office. During the few months that he had filled the Office of Under Secretary for the Home Department, he had never ventured to embody in an official statement of this nature his own views on the subject of turnpike tolls. This was a question of the very greatest importance, and he should like, if the opportunity were afforded, to have a further discussion upon it. When he saw the contents of this annual statement he was inclined to answer it, but refrained from doing so because he thought that course would be inconvenient to the House. He could not enter into the question as it stood now without raising the whole turnpike question; but, when the Turnpike Bill, of which he had charge, came before the House, he should be glad to discuss the whole subject, and to expose the weakness and fallacy of the statements which had been made. The present Government had reversed the process which had been acted upon for years with regard to turnpike trusts, deliberately setting aside the Report of the Select Committee. He perceived in the Report statements which he ventured to think he had answered successfully two or three years ago. He hoped they had not been introduced for the purpose of creating a precedent; but he thought that they ought not to have been introduced in their present shape, even with the object of elucidation. He believed the present state of the law to be unequal, uncertain, and most unsatisfactory; and, therefore, if the Government undertook to bring in a Bill to effect the desired reform, he should be very glad to give them his assistance.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copy of all the Communications received in reply to the Circular sent in February 1866 to certain Turnpike Trustees referred to in p. 9 of the Seventeenth Report on Turnpike Trusts, of which Extracts are therein given, together with the names of the Correspondents,"—(*Mr. Clive,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Lord HENLEY said, that the subject was one of great importance. The Report confirmed an idea which he had formed, after what he had heard in Committees on the turnpike system—namely, that the Home Office was not the tribunal by which matters relating to turnpike trusts could be decided in a satisfactory manner. There were as many as 1,033 of those trusts, and it could not be supposed that either the Secretary of State for the Home Department or his Under Secretary had time to attend to them. Besides, they required local knowledge which one could not expect to find in the Home Office. There were 194 trusts out of debt, but with these the Home Office had not dealt very satisfactorily. As for the reasons assigned in the Report for not throwing the roads on the parishes when the trusts had expired, they might be summed up in the allegation that such a course would increase the rates. Why, of course it would; but he had supposed that the great desideratum was to have the roads maintained by the parishes. That had been done in some districts of the metropolis where the expense of maintaining the roads was something like £2,000 a year per mile. When, in 1863, the suburban parishes, such as Fulham and Hammersmith, objected to the Act throwing open about seventy miles of roads in the neighbourhood of the metropolis, on the plea that the wear and tear of those highways were caused by the metropolitan traffic, the answer was that the valuation of those parishes had been enormously increased in consequence of their proximity to the metropolis. In Hammersmith the rateable value of the property in the parish had been increased from £30,000 to £150,000 in about thirty years, and the same argument could be applied to almost every turnpike road in the country which ran through an agricultural district. All parishes through which a high road passed, were to some extent benefited by it. There were 834 trusts still in debt, and in respect of these also the action of the Home Office had not been satisfactory. He threw out these suggestions in the hope that, in any legislation on the subject which might be in contemplation, some of the difficulties might be removed.

Mr. GOLDNEY said, the Report showed that there were in round numbers about 1,000 turnpike trusts, of which 800 were in debt, and 200 out of debt. The lettable amount of the tolls was in 1866 about £950,000, and the expense of collection and toll-rents' profits amounted at the lowest computation to about £300,000 more, bringing the total amount which the public contributed up to about £1,250,000. The whole sum expended for the repair of the roads only amounted to about £500,000 however, and in reduction of that the parishes contributed about £50,000. Now, if the repair of the roads throughout England were thrown on the parishes, those parishes would be relieved to a very large extent from the maintenance of many of the parallel roads in existence, or would only have to repair them to an extent sufficient for the agricultural purposes of the various districts. He had been able to prove to farmers who objected to having the maintenance of the roads thrown upon the rates, that if that course were adopted they would pay considerably less in the shape of rates for the repair of the roads than they had to pay now for tolls in going to markets and railway stations. The public were mulcted of £1,500,000 annually, for which they were only benefited in return to the amount of about two-fifths, the rest going in one way or another towards expenses and machinery. The county of Essex had got rid of all its turnpikes and was now experiencing the benefit of the step it had taken. Surely that was good evidence in favour of the abolition of turnpikes. The Report now before the House ventilated the whole subject thoroughly, and he was glad to hear that the Government intended to bring in a Bill upon the subject.

Mr. WHALLEY said, he thought the Report went in a retrograde direction, and entirely upset all that had been done before. The Home Office had in a most extraordinary way taken the part of the country against the cities, and had actually gone out of its way to show reasons why the law should be—he might almost say—violated. They had gone as far back as the year 1836. All the tolls throughout the country were levied under certain Acts of Parliament. The power to levy was originally a contract, ratified by Parliament, between the trustees and the public, and was always limited to a certain number of years. Every year, therefore, a Turnpike Trust Continuance Bill was brought in, usually at the end of July to continue these contracts and the power of levying tolls. The public in the districts concerned were never consulted with regard to the Bill; there was no possibility of discussing the question, and Parliament was really acting entirely in opposition to the interests of the public in this matter. He would observe that those persons who lent their money on these trusts knew that the investment was in the nature of a terminable annuity, and consequently in the matter of their renewal they had the barest equity. If the turnpikes were to become an institution, under the Home Office, why was the Continuance Act brought in every year? The proper course would be to make the Act permanent. It was a mistake to suppose that this question was one in which no interest was felt. The state of the roads had occasioned riots in Wales, and Sir George Lewis had said the only way the people could remedy the grievance was by taking the law into their own hands. He trusted the right hon. Gentleman the Home Secretary would be good enough to listen to the earnest appeals that were made to him to pay attention to this matter, which, as time advanced, affected the interests of the country more and more.

LORD GEORGE CAVENDISH, while admitting that nothing in a small way was more vexatious than to be stopped on the road to pay a toll, said, that the toll system at least secured good roads, which were paid for by those who used them. If the repair of all roads was thrown on the parishes, a much more vexatious state of things would exist—the roads would be allowed to go out of repair. You might force the repair of the road upon the unwilling ratepayers, but they would prove like the horse at the water that could not be made to drink. Farmers would repair the roads to be traversed by their own carts, but would leave them in an unsatisfactory condition for other conveyances. Had we possessed all our present experience we might have devised a better system as regards our legislation on turnpike trusts. Certain districts might have been grouped together, and, as the terms fell out, the trusts might have been continued from year to year until all the roads in that district could have been brought under the Home Office together. If that had been done, greater economy could have been practised, many toll-bars might have been removed, and, finally, one term could have been fixed for all the roads in the district. As it was, great injustice often arose; because an Act was allowed to expire a road was thrown upon the highway rates, perhaps a parallel road was repaired by tolls, and the result was the traffic was diverted to the road which had been freed from toll-bars. This might have been avoided under a more uniform system, which would have allowed those who took an interest in the matter to put the roads of a large district under one management. The gradual abolition of tolls under such a system would have led farmers to look upon highway districts with greater satisfaction. In speaking of the debt, he wished to refer to the system which prevailed in Scotland, and which worked admirably. The system of rating was different, for the landlords assumed the payment of the debt; but, although the English system was different, the solution of the difficulty would be facilitated if the landowners would take one-half the debt on themselves, and the other half were paid by the occupiers. One source of difficulty in dealing with the debt was the apathy of creditors about their capital when it was once lodged in the hands of a trust. That might be natural when 5 per cent interest was paid, but the extraordinary thing was that it should be so in the case of trusts paying 1½ per cent. He had known cases where persons who were only receiving 1½ per cent, and not always that, upon the worst security in the world, had neglected to accept offers to pay them off at £50, and even at £60. In one case he had got on behalf of a charity a composition of £47 for such a debt, which was at the rate of more than thirty years' purchase, where the Act would expire in five years. This apathy accounted for the large debt still remaining on the trusts; but when Government took action, and proposed to do away with the trusts, these same people would object that their property was being confiscated, though they had neglected their chance of obtaining composition for their money invested in the roads. He thought that the only settlement of the question which could prove satisfactory would be to throw the cost of the roads on large districts rather than upon parishes. It was understood that a measure was to be brought forward by the Home Secretary, who would perhaps give some explanation of it, but without knowing what the Government would do the House could hardly come to a practical conclusion.

MR. SCOURFIELD agreed that the farmer who used the roads would not have to pay more if the roads were maintained out of the rates; but the grievance would be that those who did not use them would have to pay the same as those who did.

MR. GATHORNE HARDY said, he was very sorry so much fault had been found with a Report published under his auspices; but many of the objections taken to it were not, in his opinion, valid. It was said that credit was taken for something now carried out by the present Government. It was not, however, this, but the last Government that had the credit—if credit were to be taken at all—for something that had been done by Mr. William Harrison. From the speeches made it might be supposed that the task of settling the turnpike affairs of the country was an easy one; but he was bound to say that, having had his attention drawn, during the last two months, to the subject, he had come to the conclusion that the difficulties in the way appeared greater the nearer they were approached. In consequence of the strong feeling generally existing against any increase in the rating, the present time was the very worst for dealing with the question; and therefore, if an attempt were made now to throw the roads upon the rates, he believed the outcry would be great indeed, and in many instances it would be just. It was true, according to the Report, that the tolls levied amounted to £945,458, and that the cost of repairs was only 58 per cent of the receipts. But 30 per cent was paid for interest upon debt, making 80 or 90 per cent, and law charges and salaries bring up the amount to about the 100. Beyond this there were the expenses and profits of the toll collectors, and thus a greater cost was imposed on the country than was estimated by the sum of £945,000. He could not say how much this would be. But he thought that before any steps were taken to deal with the subject of turnpike trusts there should be a valuation taken of debts at the present time with a view to ascertain what they were really worth; because, at the rates mentioned by the noble Lord (Lord George Cavendish) they would not prove so formidable in fact as they looked on paper. It would be desirable to know what they were really worth in the market; and he believed that the creditors of the roads would be glad to take such a valuation if it were fairly made. The next question that arose was, how the roads, when freed from debt, were to be dealt with—whether by county Boards, or by highway districts. He confessed his present impression was that highway districts would give insufficient areas for the purpose. Again, when you were dealing with these turnpike roads, which were not now all main roads, power must be given to any authority set up to declare which should be main roads, and in the case of turnpike roads which were now only common highways, to let them fall into comparative disrepair. He did not say that they should be allowed to fall into absolute disrepair; but all these roads need not absolutely be kept up on the same footing. It would be necessary, also, to enter into many other points. A difference existed in the penal laws affecting turnpike roads and main roads. To take a small instance. By the Turnpike Acts a person was not allowed to place manure within thirty feet of the middle of the road; in the case of a highway, the distance allowed was fifteen feet. A case had occurred in which the moment a road was thrown upon the parish manure had been deposited within fifteen feet of it. It would be necessary, therefore, if they proceeded to deal with the question, to consider all the laws relating to the two classes of roads. Great fault had been found with a part of this Report which contained certain reasons; but he thought it was well that the House should have before them a narrative of what occurred in 1866. In giving this narrative his object was not to offer an argument on the part of the Home Office, but to show the nature of the trusts in different parishes. His hon. Friend had included in the Turnpike Trusts Continuance Bill a great number of trusts that were meant to expire. At one time he had thought of inserting in the Continuance Bill all the trusts which were out of debt, and referring the Bill to a Select Committee. He should have done that this Session, but hon. Members whom he would have liked to place upon the Committee expressed a disinclination to undertake so great a task. He proposed, however, to introduce a Continuance Bill at an earlier period than usual—as soon as he could get it ready; and he should have no objection, in cases which seemed to the House to require investigation, to refer them, or any part of them, to a Select Committee. With respect to bringing in a Bill himself, he had had a Bill prepared, but having only just received it from the draftsman, he had not yet had time to examine it; and he should not bring it in unless it was one which met with his entire approval, and unless it was in a shape which satisfied him that it had a chance of passing. His desire was that the thing should be thoroughly understood; but the circumstances of the Session forbade a general inquiry. It was not desirable to discuss the question further on a Motion of this description. He agreed that turnpikes and turnpike tolls were disagreeable things; and on this point he spoke feelingly, because in no part was the toll system more vexatious than in that in which he resided. Up to last year there were three turnpikes between his house and the railway station, and there were now two. As far as he was concerned, therefore, he should be glad to get rid of turnpikes. At the same time, it was only fair to consider who was to bear the burden when tolls were abolished. His own notion was that you could not arrive at a satisfactory conclusion on this point without the creation of county Boards, giving them power, as he understood was the case in Scotland, to take tolls at such points as they thought proper.

MR. NEATE said, he hoped that the right hon. Gentleman would not overlook the case of those roads where the tolls had been abolished; for redress was called for with respect to them as much as it was called for with respect to those where tolls still existed. A flagrant injustice had been done under the substituted system of rating. There were instances in which those roads were made without any reference to the parish in which they were made, and which was rated for their maintenance. He knew an instance in which a road had been made just outside a gentleman's park, and not with any unjust idea, for, in the first instance, the road had been kept up by tolls; but the abolition of those tolls had thrown the burden upon an adjoining parish.

Amendment, by leave, *withdrawn.*

MR. HARDCASTLE, who had given Notice of a Motion that the position of Turnpike Trusts now expired but annually renewed should be submitted to the consideration of a Select Committee, said he should not press it, but hoped that the right hon. Gentleman would appoint a Select Committee to consider the expired Turnpike Trusts Acts which might be brought under his notice; and he trusted that it would not be long before the Continuance Act was introduced.

## ARMY—FORTIFICATIONS—DOCKYARDS AND NAVAL ARSENALS.

### RESOLUTION.

MR. O'BEIRNE said, he rose to call the attention of the House to the plans upon which the Fortifications for the defence of the Dockyards and Naval Arsenals of the United Kingdom, and for the defence of our Colonies, were being constructed. He wished to state at the outset that he brought forward this question in no party spirit, but purely in a national point of view. For much of the information which he had obtained on the subject he was indebted to articles which had appeared in the organ of the right hon. Gentleman opposite—the *Standard* newspaper — and he had satisfied himself that the information thus obtained was in every instance strictly correct. In 1860 Lord Palmerston startled the House by proposing a Vote of £9,000,000 for fortifications for the defence of our naval arsenals. Upon that occasion a debate of a most interesting character took place, in which the hon. Members for Nottingham (Mr. Osborne) for Birmingham (Mr. Bright) and others who had ever been foremost as the careful custodians of the public purse, opposed the Vote ; but the influence of the Government was too much for them, and after a protracted debate, extending over two or three nights, and after many Amendments and divisions, the Resolution was carried—Lord Palmerston promising that the Government in power should come to Parliament every year for a Vote for the sum required of that year, and present an Appropriation Act for that purpose. On the 9th of August, 1860, when the second reading of the first Appropriation Bill was proposed, Mr. Edwin James, who was then a Member of the House, moved a very remarkable Amendment, to the effect that, before proceeding further with the Bill, it was desirable that the House should be in the possession of more certain information as to the entire cost of the constructions and the efficient maintenance of the proposed sea and land fortifications, distinguishing the expense of each. That Amendment was seconded by Sir Charles Napier, but it shared the fate of its predecessors. The Minister of the day had his way upon the subject, and the Government went on with the construction of the forts on their own plans, as if the question was not open to debate. It would almost seem reasonable that, before an expenditure of between £5,000,000 and £6,000,000 was entered upon, some degree of caution and inquiry with reference to these fortifications should have marked the movements of those in authority ; but the House would be surprised when he stated that little or no inquiry took place, as would be seen, when he explained to them the experiments that took place, and the result. They were in no better position now with reference to the construction of these forts than they were in 1860. At that time, as well as at this moment, the following questions among others were entirely open—whether the land forts should be constructed of granite only, or granite in connection with iron shields—whether they were to be faced with iron upon granite, or whether granite was first to be built up, and iron in the shape of fortresses erected upon it; and then what was to be the thickness of the iron, and whether it should be solid or laminated? all of them most serious questions, and each one involving the success or failure of the undertaking. The construction of the first fortification proceeded, and a few experiments were attempted. The first, which took place the year before the Vote to which he had referred, was with reference to a combination of iron and stone. The experiment was made with the 40, 70, and 68-pounders of that day, at 400 yards range, and the result was that the stone was smashed to atoms, whilst the iron remained uninjured; and on the following day, the stone being cut away, the iron stood the test of the same guns, even in salvoes. That was the state of their information in 1860. In that year other experiments were tried. Mr. Hawkshaw, the celebrated engineer, who had been a few days since named a member of the new Commission by the right hon. Baronet (Sir John Pakington), produced a target on the laminated principle, but that was easily penetrated by two shots from a seven-inch Armstrong breech-loader, the second shot, in fact, going clean through it. In 1863 Colonel Inglis produced a laminated target which proved a partial success, and Captain Noble and General Lefroy reported that a six-inch laminated target was not so strong as a four-inch solid iron one. In 1864 and 1865 one or two very remarkable experiments took place—the first experiment in which the shield principle was fairly tested. Two sets of casemates were constructed at Shoeburyness. One had a shield 12 feet by 8 feet and 4 inches thick fixed in front of it. The result was a total failure, and that settled the combination principle of stone and iron, the Report of the Ordnance Select Committee was unfavourable to the stability of casemates so constructed, which they stated were unable to withstand six consecutive shots from the same gun. The Defence Committee also distinctly stated in their Report that granite forts were untenable, and Colonel Inglis had expressed a similar opinion upon one occasion. A 68-pound cast iron shot fired at a granite block shattered it into a thousand pieces, and a more complete demolition could hardly be effected. Those experiments he thought would be sufficient to prove all that he desired to impress upon the House, that this momentous question was far from being settled, and that they had not yet got on the right road with reference to the construction of fortifications; he asked the House whether they would persist, or permit the Government to persist, in the construction of these forts until they had arrived at some certain data from which they could safely start? He had no desire to embarrass the Executive in any way; his only object in bringing the subject forward was the interest of the public, in order that the construction of these fortifications might be discontinued until something more was known about the subject, and that by the suspension of the works a waste of public money might be prevented. In the early part of last year Colonel Jervis presented a Report upon the various fortifications which were then in course of erection, in which Report he minutely described them, distinguishing those of stone and mortar, and of earthworks, and those at Portsmouth and on the Plymouth Breakwater. It was not his intention to go through that Report, but he would simply mention the result. The greater number of forts in which granite was used were described as being constructed for the purpose of receiving at their embrasures iron shields, and from that Report the consideration of the iron shield principle might be said to have originated. But it was with reference to the third class, which was the most important — namely, the Plymouth Breakwater forts and the Portsmouth forts, that he desired the attention of the House a few moments. He believed the only fort for which contracts had been completely entered into was that for the Plymouth Breakwater. It was no doubt a structure of great importance. Colonel Jervis had carefully described the principle upon which it was to be built, but he (Mr. O'Beirne) would point out what he considered the fault of its construction, and the necessity for further inquiry. It would be a very costly structure; it was to be built of stone and mortar, of considerable thickness, to the height of 18 feet above high water mark; and upon that structure an iron fortification was to be erected, for which a contract was entered into in the early part of last year. This fort was to be of iron, and would cost £40,000. It was to be placed on a building of stone and mortar, offering to the enemy's guns an assailable surface of 18 feet below the iron wall, which could not, under any circumstances, be protected by the water. Now, if the experiments he had quoted were good for anything they showed that stone and mortar were not materials on which a fort could be safely built if any part of that stone and mortar was exposed to an enemy's fire; that a very few shots from an ordinary sized gun would destroy it and thus send the iron structure which was placed upon it about the men's ears. That opinion was also entertained by experienced engineers, ironmasters, and military men who had given the subject their attention. Stone and mortar, it had been clearly shown, were useless with regard to strength and resisting power. What reliance, therefore, could the House or the country place upon those who had adopted for the erection of one of the most important and one of the most expensive of the intended works, a principle which even the little knowledge we possessed had declared to be worthless. Last year, when the Provision for Expenses Bill, to authorize the expenditure of £800,000 for forts, during the year 1867-8, was in Committee, he (Mr. O'Beirne) moved a Resolution, which he was very anxious at the time to have carried, that all further expenditure on the forts should be stopped until a Committee of the House should have an opportunity of considering and reporting upon the whole subject; but his proposal was modified upon the promise of the right hon. Baronet the Secretary of State for War that such experiments as they wished should be carried out. [Sir JOHN PAKINGTON: Hear, hear!] The experiments were to be, as he understood, of two characters — first, with reference to shields; and secondly, with reference to forts. But when the Bill came up for a third reading the hon. Baronet the Member for Stamford (Sir John Hay) declined to give any undertaking that the expenditure should be stopped pending the result of such experiments; consequently the House was helpless in the matter, and obliged to depend entirely upon the promise that had been given by the right hon. Baronet. He (Mr. O'Beirne) was naturally anxious to know something about the experiments after that, but months passed away and nothing was heard of them. However, in October last a small paragraph appeared in that vigilant journal, the *Standard*, announcing that experiments had taken place on the 25th of that month, and that in two shots the shield fired at had been knocked to pieces. It was further stated in the same journal that the shield after it had been fired at was carefully wrapped up in a tarpaulin, and that a sentry was placed over it to prevent anyone from ascertaining the actual amount of damage. There was another peculiar feature connected with that transaction. The usual practice of admitting the representatives of the Press to witness these experiments was departed from. He had it on the authority of a gentleman connected with the Press that he was refused admission, being informed that orders had been sent down from London that no stranger whatever was to be present at the experiment. In the following November Session of Parliament the hon. Member for the Queen's County (General Dunne) put a Question to the right hon. Baronet with reference to these experiments, and he (Mr. O'Beirne) subsequently followed that up with Questions with regard to the Malta and Gibraltar shields and the fortifications generally. The reply of the hon. Baronet to those Questions would no doubt be in the recollection of hon. Members who took an interest in the subject. He (Mr. O'Beirne) had also asked the right hon. Baronet (Sir John Pakington), whether the specifications and drawings issued by the War Office for the intended target were a true section of the Plymouth and the Bermuda forts; the noble Lord the Member for Haddington (Lord Elcho) having been informed that they were not. The right hon. Baronet said, that he was not aware that there had been any alteration; that he had given the most strict injunctions that the target should be a correct and faithful representation of the Plymouth and Bermuda forts, as it was intended to erect them, and that if there was any variation it was this—that as it was difficult to give a target the strength and stability of a permanent structure some additional supports might have been used for that purpose; but in all substantive respects they were the same. Now, he (Mr. O'Beirne) regretted to say that the facts of the case were totally at variance with the opinion which the right hon. Baronet had expressed. The target, which was ordered in the North of England, was in many respects different from the fort now building in the neighbourhood of London, and it in no degree represented the fortification of which it was intended to be an identical example. More than that, the target, he was informed, had, since it had gone to Shoeburyness, been subjected to repeated alterations at an expense of £10,000; and if the fort now erecting in the neighbourhood of London were altered in the same manner it would cost £20,000 more than the amount contracted for. If that statement were untrue or unfounded he would be happy to have it contradicted.

SIR JOHN PAKINGTON: I beg the hon. Gentleman's pardon. What does he mean by the fort erecting in the neighbourhood of London?

MR. O'BEIRNE said, he meant the Plymouth Breakwater fort, which was being constructed at Millwall. But in addition to the objections he had already made, he arraigned the fort as unsound in principle, if, indeed, there could be said to be any principle in a plan which was being altered from day to day. But however the plan might be altered or modified, it was still, and always would be, an erroneous one. The structure was of iron, placed upon stone and mortar; and in the iron construction the laminated principle was adopted—a principle which experiment had also proved to be faulty; while stone and mortar, as a base, were, as he had shown, equally so. He now came to the question of the shields. It seemed to him that prudence might have suggested to the right hon. Baronet to have stayed the erection of these shields till the Report of the Committee, which the hon. Baronet himself had appointed, was received; but he declined to prevent their being sent out, and thirty-four had actually gone to their destination, one being retained at home to be fired at. In addition, fifty of these shields were to form an integral portion of the home defences. They were to be let into the embrasures of forts, built of granite, to protect the gunners. But a shot striking the granite would dislodge the shield and expose the men inside to the fire of the enemy. In speaking upon this subject, he could not refrain from expressing his entire approval of the labours of the Committee presided over by his distinguished and gallant Friend the Member for Stamford (Sir John Hay). That Committee had done its work in a very efficient manner. He observed that fault had been found with it by some of the Press, because it had not answered the third question that was submitted to its consideration. But he thought the hon. Baronet had done perfectly right. Those who knew the hon. Baronet knew that he had a thorough knowledge of this difficult question; and those who did not know him had only to look at his examination of the various witnesses before the Committee, and the character of the questions he put to them would prove how thoroughly he had mastered the subject. The Report of the Committee when it appeared, would, he believed, give general satisfaction. If he had any objection to make, it was that the Report was not yet printed and issued to Members. [Sir JOHN HAY: It is printed.] It must have been printed only to day—at least he had not got a copy. And here he must complain that he had seen with extreme surprise articles in the Press for the last fortnight commenting on the Report, the character of the evidence, and the nature of the findings, while the Members of the House had not seen it. It might be worth while to ask the Speaker's opinion, whether this was regular—it was certainly scarcely courteous. But, passing from that, he would call the attention of the House to this Report on the shields. It was believed that they were useless and unfitted for their purpose. After a great deal of trouble and loss of time a Committee was appointed on the 5th of December last, and it made its Report on the 11th of February. There were three questions put to the Committee—the first two were vital; the third, he thought, with great respect, had better not have been put. The first question was, how far have these trials proved favourable to the shields? the second, what are the causes which have led to any failure in the shields? and the third was, what changes in the construction of the shields the Committee would recommend? He was glad, as he had already said, that the Committee declined to give an answer to the third question, as it was not fair to ask them to decide a matter so important in a few weeks, and if they had fixed on any particular shield they ought to have been allowed to superintend its construction. To the first question the Committee answered that they had considered the result of the first trial by the Ordnance Select Committee, on the 21st October, 1867—that was the remarkable trial when the shield was wrapped up in a tarpaulin—and other experiments made since, and they had come to a conclusion unfavourable to the shields, as they did not consider them strong enough to resist the direct attack of powerful ordnance at a distance of 200 yards. They went on to specify as defects the weakness of the girders, and the danger to the gunners from the number of nuts and screws that were liable to be displaced in action. On the other hand, it was stated that the construction adopted allowed of the strengthening of the shield by the super-imposition of additional plates. He thought, then, he had established a case for inquiry, and for pausing in the present expenditure. He would conclude by asking the House to agree to a Resolution to the effect that there be added to the Committee two Members of this House and an additional Engineer; and that all further outlay be suspended till that Committee should have made its Report to the House. Of the £11,000,000 which was first estimated as the cost of the forts, they had already spent £5,000,000: he hoped the House would refuse to sanction any further waste of money until it had full knowledge of how and with what probable results such expenditure should be incurred. The hon. Member concluded by moving his Resolution.

Colonel SYKES, in seconding the Resolution, said, that in 1860 the Defence Commission recommended a system of fortifications involving an expenditure of £11,000,000. Subsequently to 1860 there was a re-consideration of the subject; there was a modification of the plan of the Defence Commission, and the expenditure was reduced to £6,000,000 or £7,000,000. In 1860, he opposed the system of fortifications then recommended. He knew it was impossible to defend our whole sea coast, and therefore he was of opinion that the defence of our arsenals was all that should be undertaken. In 1867, he moved for a Return, and he proposed that the modifications should be set in detail, with a statement as to costs past and prospective, &c. The Return laid on the table in consequence of the Motion made by him showed that the total outlay proposed up to that date was £6,995,000, independently of armament and troops. Up to the 1st of January, 1867, there had been expended upon the works £3,491,872. It was stated that 987 large rifled guns would be required, and 1,104 guns of 95 cwt. and under. The estimated cost of the armament was £1,883,722; the number of artillerymen required would be 9,841; and the number of infantry 22,441. It also appeared from the Return that the land to be purchased would cost no less than £1,064,761; that the actual expenditure up to the first of January, 1867, was £4,556,633; and that £2,438,367 more would be required to complete the fortifications alone. Now, if the works had been of a suitable character—if they had been properly placed and properly built, and if, above all, they had been necessary —the country might, perhaps, have overlooked this enormous expenditure. But there had been annually communicated to him statements to the effect that the fortifications were neither properly placed nor properly built, and that they were not adapted to the purpose for which they were designed. In fact, it had been represented to him that some were on overhanging cliffs, so that in time they would topple over into the sea, or on swampy ground, where the foundation was unstable and treacherous, so that the magazines had cracked, the ramparts had slipped from their bases and filled up the surrounding fosse. The forts erected on Portsdown Hill stood on a mass of chalk. Now, if any geologist had been consulted as to the appropriateness of such a site, he would at once have said that the concussion caused by the great guns being fired from the fortifications would in time make the scarps of the chalk itself crumble away, from the friable nature of the chalk. In particular he wished to direct attention to a letter which was published in *The Times* newspaper of the 10th of March last year, in reference to some remarks made on this subject by the right hon. Baronet the Secretary of State for War.

Sir JOHN PAKINGTON remarked that he was not Secretary of State for War at the date mentioned.

Colonel SYKES admitted that he had made a mistake. The letter appeared in *The Times* on the 10th of March this year.

Mr. SPEAKER said, the hon. Member was not in order in reading a newspaper comment on a debate which had occurred in the present Session.

Colonel SYKES went on to remark that *The Times* on the 14th of March, 1868, contained a long criticism on the state of the Spithead forts; but he would not read it to the House, as it extended to three or four columns. With regard to the question raised by his hon. Friend the Member for Cashel (Mr. O'Beirne) respecting shields being applied to masonry, he wished to point out that the engineers of the Defence Commission ought to have known that experiments had been made in America as to the application of iron shields to granite defences, and that it had failed absolutely,—it being found, as indeed might have been expected, that when such shields were placed upon granite the very impact of a heavy shot crushed the granite to powder, and the shields consequently fell from their places. The attempt to place them upon masonry had also been tried, and had utterly failed, and must always fail, from the very nature of the case. [Sir JOHN PAKINGTON: Hear, hear!] Knowing this, the right hon. Baronet ought not to have sanctioned their application to masonry. His hon. Friend (Mr. O'Beirne's) application was, therefore, a very reasonable one. He trusted that the right hon. Baronet would consent to give additional weight to the Committee he had appointed by nominating upon it another distinguished Civil Engineer and two competent and impartial Members of that House. He supported that suggestion without the smallest personal object, because he frankly admitted that he had a bias in the matter. He was not competent to be a Member of the Committee, having from the first entertained a strong prejudice against the general system of fortifications adopted, embracing as it did not less than seventy-one defences; but he trusted that no further expense would be incurred in the direction spoken of by his hon. Friend until the investigation which was recommended had taken place. He believed that the true defences of the country would be found, not in fortifications, but in the stout hearts and strong arms of the people.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "two Members of this House and another Civil Engineer should be added to the Committee appointed to consider the question of the Fortifications for the defence of the United Kingdom and of the Colonies, and that arrangements shall be made to stop, as far as possible, all further outlay until that Committee shall have reported to this House."—(*Mr. O'Beirne,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. ALDERMAN LUSK remarked that they made a great deal of money in England, and were on that account the admiration of the world; but they also threw away enormous sums of money without any good object. Anyone taking a common-sense view of the subject must be of opinion that £9,000,000 or £10,000,000 had been voted for fortifications which were of no use whatever. He asked the right hon. Baronet to put a stop to the erection of these fortifications. He believed it was now admitted that they had made a mistake, and the sooner they retraced their steps the better. The right hon. Baronet had said there were no guns, and he (Alderman Lusk) considered it was a good thing that there were no guns. If they had put guns in these fortifications six or seven years ago they would be now useless. At one time they spent a great deal of money on martello towers and more recently on Enfield rifles; and in both cases the money had been thrown away. And was it not likely that in the same manner the fortifications in six or seven years would also be useless. Who, he asked, was going to disturb them or take possession of their arsenals, or trouble them at all. And in case of war what was the use of these fortifications? He could understand that floating batteries off the arsenals might be of use. But there was no hurry. Let them trust to their Volunteers, and they would find them worth more than all these fortifications.

MR. OSBORNE said, he hoped that some Gentleman connected with the Government would rise to answer the very able statement of his hon. Friend the Member for Cashel (Mr. O'Beirne). He had been forcibly struck with the appearance which the House had that evening presented. That House was represented to the public as being the guardian of the public purse. Now, if there was any prospect of a debate which would produce acrimonious recrimination or party personalities, the Benches would have been crowded, and the House would have resounded with cheers. But what had been the state of the House during the whole of the discussion? A question involving the expenditure of millions had been most ably brought forward by his hon. Friend, the representative of a condemned borough—and the highest number of Members in the House at any period during the discussion had been twenty, while the lowest had been fourteen. There were two Members of the Government on the Treasury Bench. There was not a single Member upon the front Opposition Bench, and even the hon. and learned Member for Portsmouth (Mr. Serjeant Gaselee) was asleep. That was the way in which a question of millions of money was debated and treated by that House. He had always taken a great interest in this question of fortifications. Its history was a melancholy one, and furnished an example of the most profligate and useless expenditure that was ever voted by the "guardians of the public purse." In 1860 a Royal Commission was issued to report upon the defences of the country. And here he might remark that the whole theory of Government seemed now to be this — that everything was to be referred to a Royal Commission, the consequence being that the Ministry abdicated all responsibility, and sheltered themselves under the recommendations of a Commission. They all knew that the Vote for fortifications was passed, in the first instance, under the influence of a panic. The total estimate was £11,850,000, and the works at Portsmouth alone were to cost £1,192,000. These works extended over seventeen miles; and the House rushed into this expenditure without considering that works of that vast extent would require at least 30,000 men to defend them. [Sir JOHN HAY: 80,000.] He had never ventured to put the number so high as that. He wished to ask the hon. and gallant Gentleman how, in the face of that statement, he could oppose the present Motion? An army of 80,000 men to defend the works of Portsmouth alone! Where are the men to come from? The Volunteers could not supply them. The Royal Commission of 1860 recommended that £1,000,000 should be expended on floating batteries, together with £500,000 for their armaments. That was the most sensible recommendation which emanated from that Commission; but what had happened? The whole of the money had been expended upon these useless forts, and not one 1*d.* had been laid out upon floating batteries. As far back as 1860 he resisted the expenditure on fortifications and proposed that floating batteries should be built, and how was he supported on that occasion? He was supported by thirty-nine Members, who, in derision, were called the Thirty-nine Articles. He persevered in his proposal until at length he worked up the minority to 84. What happened then? The hon. and gallant Admiral now in office (Sir John Hay) seconded a Motion made by a gallant officer of Engineers, then a Member of that House (Sir Frederick Smith), to the effect that these forts should not be proceeded with. [Sir JOHN HAY: Hear, hear!] The same hon. and gallant Gentleman stated in 1862 that he had been at one time in favour of the forts at Spithead, but that he had since had reason to change his opinion, and he recommended that floating batteries should be constructed. That recommendation was backed up by a great naval authority, the late Sir Richard Dundas, who recommended that instead of constructing floating batteries they should expend £60,000 in rendering ironclad vessels available for purposes of defence in our harbours. The recommendations of these able officers and scientific men had, however, been totally disregarded. What he complained of was that the House had never had before it a proper estimate for these fortifications. The original plan had been altogether departed from, and public money had been thrown away and wasted in the sands at Spithead. According to the original plan there were to be five forts; but only three were in process of construction. It should be recollected that the original estimate for these forts did not contemplate any iron construction. They were to be built of granite, and it was not until Admiral Elliot, a member of the Royal Commission, said they ought to be covered with wrought iron ten inches thick, that the estimate was completely altered; and now the House was involved in an enormous and indefinite expense, without any plan before it. He suspected, moreover, that there was no working plan for the regular construction of fortifications. The present Government had, it was true, succeeded to a *damnosa hereditas;* but having succeeded to this *damnosa hereditas,* what was the common sense of their position now? He knew that the Government did not approve of these works. [Mr. Serjeant GASELEE: They say that the contracts were made.] He believed that the contractors for them would, upon the payment of a certain sum of money, be glad to wash their hands of them. He would, therefore advise the Government to close this account and to put an end to a gigantic imposture which was wringing money out of the pockets of the taxpayers of this country. It was all very well for the Government to try and get rid of the responsibility. They were all tarred with the same brush. The right hon. Gentleman on the other side of the House (General Peel) said he would not accept one atom of responsibility with regard to the forts —that they were the work of the last Government. But why did the party to which the hon. and gallant General belonged vote a large sum of money for the purpose of continuing the fortifications? He could not understand a Government which, knowing this outlay of money to be uncalled for, remained in Office and allowed this wasteful expenditure to go on. While he cordially concurred with his hon. Friend the Member for Cashel (Mr. O'Beirne) in his representation of facts, he doubted whether, if his suggestion to add two Members of that House and one Civil Engineer to the Committee were acceded to, there would be any Report at all. He had no confidence in Members of that House reporting upon fortifications; for it was entirely owing to hon. Members that they had been involved in this extravagant outlay of money at all. He was ready to vote a sum of money with a view to closing the contracts. He hoped that some Member of the Government would explain exactly how matters at present stood, and the reason why that most sensible recommendation of the Royal Commissioners, that £1,000,000 should be expended on floating batteries, had been wholly disregarded. They heard a great deal about responsibility. He would read to the House one of the most useful bits of advice ever given by a Minister to the House of Commons. Sir Robert Peel said that, in a time of peace, this country should not be looking to keep up an extensive system of fortifications, and that if the House listened to the opinions of military men, who were always ready to recommend something connected with their own profession, they would involve this country in an outlay that no amount of funds would cover. That was the opinion of Sir Robert Peel in 1846. He would ask hon. Members to take that advice—and as an election was at hand they might be the more inclined to listen to it now than at another time—and to support the Motion of his hon. Friend for the suspension of this useless expenditure.

Sir JOHN HAY said, the hon. Gentleman had fairly quoted him as having always been opposed to these fortifications, for the building of which he was by no means responsible; but he could not conceive that the House which was really responsible for them would interpret unfavourably the action of the present Government in continuing the contracts which were in operation when they succeeded to Office. The sea forts at Spithead he believed to be entirely useless; indeed, they would prove admirable marks to guide an expert enemy into the harbour, while, as Sir Frederick Smith said, in a former debate, in these days of iron-clad vessels they would not be able to keep the enemy out. But when the present Government succeeded to Office these fortifications were raised considerably above their foundations and formed sand banks, and it was thought that the best use they could be put to was to place upon them the fortifications for which the contracts had been already made. With regard to the special question as to floating defences recommended by the Commission, raised by the hon. Member for Nottingham (Mr. Osborne) he had to inform him that this was one of the first things considered by the Admiralty after succeeding to Office; but they found that while the House of Commons had agreed to the Vote for the land fortifications, they had struck out the £1,000,000 for the floating batteries. He hoped the hon. Member for Cashel (Mr. O'Beirne) would not press his proposal for adding two Members of that House to the Committee, the members of which had been selected with the greatest care and attention, while its Chairman (Sir Frederick Grey), an Admiral of distinguished ability, had certainly not been selected with reference to his political views. The Commitee in its present form was a most effective one, and one from which might be expected not only a full and honest but also a speedy Report. He did not think there would be any objection to the addition of a Civil Engineer to the Committee; but such an appointment would, of course, considerably add to its expense. He hoped the House would see that the Government was not responsible for the expenditure incurred with reference to these fortifications; but at the same time he must remind hon. Members that the contracts already in force could not be put an end to without a considerable loss being thrown upon the public. It was one thing to disapprove of commencing such fortifications, but quite another to leave them in a half-finished state. He trusted that the hon. Member for Cashel (Mr. O'Beirne) would not press his Motion after the explanation he had given of the circumstances connected with these works.

Mr. SAMUDA, as an Independent Member, would say that to him it was no matter who projected or agreed with these fortifications. If, on re-examination, they were considered useless, they ought to be discontinued. After the statement of the hon. Baronet (Sir John Hay), a naval Lord of the Admiraly, that the Spithead forts would enable an enemy to obtain a better position in the country than if they were not there, a revision of this question was important to the country. He had understood from the Secretary of State for War that it would take £4,000,000 to pay for the necessary guns. That was another reason why the subject should be re-considered. He believed that only £7,000,000 out of the £12,000,000, of the original Estimate, had been spent upon these fortifications, which took their origin in a time of panic, and the permission to construct which was obtained from the House upon a statement that was now found to be wholly unsatisfactory. In 1860 it was represented that the arsenals and dockyards at Portsmouth and Plymouth were undefended, and that these fortifications were necessary to protect them from an enemy. Now the point to which he wished to call attention was that in ancient times, when the navy of this country relied exclusively on sails for their evolutions, it was absolutely necessary, in time of war, to possess Portsmouth and Plymouth; but that necessity did not now exist, when this country had a steam navy which could be speedily directed to any particular spot. Whether the fleet issued from Chatham, Pembroke, or Portsmouth, mattered not. Adverse winds did not stop the ships. It might be well in time of war to abandon those great arsenals, or even destroy them if necessary. It should be remembered, too, that we were making Chatham Dockyard large enough for all the works of the navy. It was an opinion, confirmed by high military authority, that the defence of the country could never be made in these forts. As long as we possessed the command of the sea we were safe, and if we lost the command of the sea, not one of these forts would be useful except to the enemy. His opinion was, and had always been, that this country should depend mainly, if not entirely, upon her ships, and that the number ought to be made equal to those of two or three of the greatest European Powers combined. That being done, if an enemy should obtain a footing in this country, it would be better for our army to be posted about forty miles inland so as to draw the enemy that distance from his base of operations. That would be a better base for operations, and for stopping a successful raid being made upon the metropolis. If these fortifications were completed, we could not spare an army to man them. The constitution of the Committee was not a matter of so much importance, but what was wanted was to get the matter thoroughly re-considered and revised. He hoped if the hon. Member for Cashel (Mr. O'Beirne) should be induced to withdraw his proposition the matter would not be allowed to slumber.

GENERAL PERCY HERBERT said, he supposed that, as there was "nothing like leather," it was natural that the hon. Member for Tavistock (Mr. Samuda) should prefer ships to forts. If the House agreed with the hon. Member that Portsmouth and Plymouth were now of no consequence, the fortifications there would no doubt be unnecessary. But the construction of those fortifications was based on the belief that the arsenals at Portsmouth and Plymouth were necessary for the maintenance of that naval supremacy upon which the hon. Member himself laid so much stress. The forts at those two places were not designed for use so long as we maintained the command of the sea; but in case that which had occurred should be repeated, and a British fleet should be compelled to retire before the advancing fleets of the enemy. That was the contingency to meet which these forts were constructed, so as, in the event of a hostile fleet getting the command of the Channel, to prevent the arsenals of Portsmouth and Plymouth from failing into the enemy's hands.

MR. SERJEANT GASELEE said, the hon. Member for Nottingham had accused him of being asleep. There would be nothing very wrong in his "taking a nap," especially after the heavy debates they had lately been listening to, but if he had been asleep during the discussion he was not aware of it. At all events he was not asleep during the astounding statement that Portsmouth and Plymouth might be done away with. It was not the first time he had heard the hon. Gentleman (Mr. Samuda) advocate the employment of private instead of public yards, and of course on the ground of "nothing like leather," it was easy to see why the hon. Member should wish to do away with the latter. With regard to these fortifications, he disapproved of them entirely, but he looked forward to no dimunition of expense so long as this old Parliament continued. He only wished the right hon. Member for Calne (Mr. Lowe) was there. That right hon. Gentleman had described the excellence of the late and the present

Parliament. In that he (Mr. Serjeant Gaselee) did not agree. He looked forward to a new Parliament very different from the present, and the reason why he had taken such a prominent part in obtaining household suffrage was his belief that, in Parliaments elected by the new constituencies, we should have no abuses like this, which made the House of Commons stink aloud. No Parliament in its senses, no Parliament elected under household suffrage would, even under the magic wand of Lord Palmerston—who was the most wonderful mesmerist he had ever seen—ever have consented to such a futile and outrageous outlay of public money. These fortifications were ordered under the influence of panic; and we never knew what we might do when we became old women, and yielded to panic. It was an ill wind that blew nobody any good, and his constituents at Portsmouth had benefited by this expenditure, though nobody else had. At the same time they would not wish their private interests to stand in the way of the public good. This was the reason they did not hear him perpetually boring the House upon naval questions, or asking for an increase of pay to dockyard artificers. His constituents sent him here to represent not their petty interests, but those of the public at large. The proposed addition of a Civil Engineer to the Commission was, in his opinion, a valuable suggestion, and he thought that arrangement would work very advantageously though he owned he abhorred Commissions and Committees altogether. But he hoped that, after the admission of a Lord of the Admiralty that these forts were useless, the Government would urge the Commission to expedite their labours, as had been done in the case of the Irish Church Commission, which went on slowly until the right hon. Member for South Lancashire (Mr. Gladstone) introduced his Resolutions; and he trusted that an early Report would be obtained, and an end put to this outlay.

Sir JOHN PAKINGTON said, he could feel no surprise that the hon. and learned Serjeant who had just spoken should entertain great objection to any proposal to do away with Portsmouth, but he did not intend to discuss the proposal of the hon. Member for Tavistock (Mr. Samuda), that it might be desirable to suspend Portsmouth and Plymouth during war. He wished, however, to refer to a statement he had made on a former evening, and to which the hon. Member for Tavistock had adverted, as to the armament required for rendering our fortifications defensible. What he said was, that it would require for the armament of our fortifications a number of rifled modern guns, not less than 3,000, involving an expenditure of, at least, £4,000,000. He did not say over how long a period the expenditure was to be spread, or what were the best modes of obtaining the money; and when he made that statement he did not allude only to the fortifications they were now discussing, and which were proposed by Lord Palmerston. He referred to what would be required to enable our fortresses in all parts of the world — including Malta, Gibraltar, Bermuda, and Halifax—to resist any enemy who came to attack them with the advantage of modern arms. The hon. Member for Nottingham (Mr. Osborne) had complained, perhaps not unnaturally, of the thin attendance in the House at a time when, instead of an acrimonious party debate, they had to discuss a question relating to the expenditure of millions of money. But while he admitted there was force in that observation, he would remind the hon. Gentleman—it was only just to the House of Commons to do so—that if hon. Members were to come down to attend to the expenditure of "millions of money," it was right and proper that they should receive due notice of the purpose and object for which they are expected to be present. He did not complain of the hon. Member for Cashel (Mr. O'Beirne) for bringing forward this subject; on the contrary he gave credit to any Member on either side of the House who called attention to the immense expenditure incurred and being incurred in this system of fortifications, and he always admitted that the more carefully Parliament attended to that expenditure the better. But he did regret the terms and the manner in which the hon. Member for Cashel had brought forward the subject. The Notice was—

> "To call the attention of the House to the plans upon which the Fortifications for the defence of the Dockyards and Naval Arsenals of the United Kingdom and for the defence of our Colonies are being constructed; and to move a Resolution."

He had had to meet the hon. Member before on this subject, and it had been frequently discussed. He had not been able to collect from the terms of the Notice what was the object the hon. Member had in view. And when the hon. Member said he intended to move a Resolution, he appealed to every

Member whether it was not the uniform practice, in courtesy between the two sides, that when a Resolution was to be moved on an important subject, and tending to throw blame on a great Department, the terms of that Resolution should be put on the Paper? The hon. Gentleman commenced his speech by referring to the early experiments made at the commencement of this system of fortifications in 1860. These experiments were made under the immediate superintendence of his hon. and gallant Friend near him (Sir John Hay), in his capacity of Chairman of the Iron Plate Committee, and therefore it would be for his hon. and gallant Friend rather than for him to enter into an explanation of those experiments. But with regard to the system of fortifications, he did not think they were now treated with all the fairness they might claim. The hon. Member for Nottingham spoke of them as the result of a profligate and useless expenditure. [Mr. OSBORNE: I spoke of the expenditure on the Spithead forts.] It was the fashion in the House at the present time to ridicule and decry the expenditure on these fortifications. Now he was fond of justice and fair play. He had no more to do with these fortifications than the hon. Member for Cashel, who introduced this discussion, and the present Government was entirely free from praise or blame in regard to them. [Mr. OSBORNE: You voted for them.] His best reply to the hon. Member for Nottingham was this—that he (Sir John Pakington) never joined in condemnation of Lord Palmerston for proposing, them and those who were supporters and members of Lord Palmerston's Government—who, year after year supported him—should rather abstain from throwing on him the odium of profligate and useless and absurd expenditure. [Mr. OSBORNE: I never said so.] He (Sir John Pakington) never was a supporter of Lord Palmerston; he was always in political opposition to him, but he would say this—he did not believe any man ever exercised power in that House who was more thoroughly English in his views and feelings, or more anxious to exercise the great power he possessed for the honour and interests of the country. Whether right or wrong, he proposed and advocated this system of fortifications with most patriotic and honourable intentions; and when hon. Gentlemen criticized with so much severity those who had carried that system into effect he must say, in justice and fair play, they ought to bear in mind more than they did the changes that had occurred in our armament and the whole military system since the fortifications were commenced. [Lord ELCHO: Look at the contracts of 1867.] He was not referring to contracts —he was answering a speech which he had just listened to. If his noble Friend had anything to say about contracts he would meet him by-and-by. His noble Friend was one of those who referred to the fortifications with undue severity. He (Sir John Pakington) was not responsible for the system which Lord Palmerston thought it right to commence. He was not the advocate of the system, and he was free from all prejudice or concern in the matter except for the last year. What, then, was the state of affairs—what was our military system in 1860? A great portion of the speech of the hon. Member for Cashel had been devoted to a question of how much of our fortifications should consist of granite and how much of iron. [Mr. O'BEIRNE: I said nothing about any part being of granite.] He did not intend to misrepresent the hon. Gentleman, the early part of whose speech was certainly devoted to the question as to how far iron ought to be an ingredient in these fortifications. Why, in 1860, nobody ever thought of putting iron into fortifications. What led to the introduction of iron? What but the clothing of our ships with iron? In 1860 no such things as iron ships existed. There had been, indeed, floating batteries, but there were no iron men-of-war; and at that period the system of warfare was between granite forts and wooden ships. No doubt the changes that took place after 1860 were very rapid; but, as he had to advert to other subjects which had been referred to by several hon. Members, he would not further detain the House by dwelling on that early period. He would come now to 1864 and 1865. Experiments were made in those years which the hon. Gentleman had treated, as far as he (Sir John Pakington) was aware, with perfect fairness; and the result of those experiments was to prove, first that a construction of solid iron was much more to be depended on than one of laminated iron; and, secondly, that a construction of iron and stone was not so powerful as one of iron alone. His hon. and gallant Friend the Member for Aberdeen (Colonel Sykes) had entered into a good deal of matter which really did not bear upon this question, for he had alluded to the American experience of the great imperfections of granite backing to iron fronts. He (Sir John Pakington) was not aware that plan had ever been adopted in any of our English fortifications, and therefore, he would not dwell upon the subject. Then the hon. Member for Cashel went on to say that the question still remained unsettled. That was perfectly true, experiments were still in progress. He now came to a period for which he admitted his entire responsibility. It was a very short period, comparatively, in the history of these fortifications—namely, the time which had elapsed since he had the honour to be called to the office that he now filled —the time since 1867, to which the noble Lord the Member for Haddingtonshire had so often referred. The hon. Member for Cashel had alluded to what had taken place in connection with the experiments to be tried on what was called the Plymouth fort. He hoped that the hon. Gentleman did not impute to him anything like a breach of faith in these transactions; for he could assure the hon. Member and the House that no imputation was ever more thoroughly undeserved. [Mr. O'Beirne: I had no such intention.] He was glad the hon. Gentleman had disclaimed it, because from the time he had become responsible he had been deeply sensible of the difficulty and importance of the subject, and whenever he had to speak of it he endeavoured to do so with the utmost candour and fairness. He thought, however, that the hon. Member had, he was sure unintentionally, misrepresented his promise. The hon. Gentleman said that he (Sir John Pakington) had promised last year that experiments should be made on the Plymouth fort and on shields. Now, when he made the promise with regard to the Plymouth fort he gave no promise with respect to shields, and he thought that no question about shields had then arisen. His noble Friend the Member for Haddingtonshire (Lord Elcho) brought the question of the Plymouth fort from time to time before the House, and what he (Sir John Pakington) promised was this, that, so far as he could exercise his influence, there should be a *bonâ fide* trial of that fort, and that the experiment should be made upon a target which should represent the fort as it was intended to be erected. His noble Friend and the hon. Gentleman had alluded to what they described as a certain change in the drawings. [Lord Elcho: Hear, hear!] Now, he must frankly confess that he was not so much in the secret as his noble Friend seemed to be—he did not know to what extent the change in the drawings had taken place. He had no desire to shield the officers concerned more than was fair. On the other hand, he had a great desire that the officers who were responsible should not be entirely run down and condemned. He thought the House would be disposed to agree with him that if a public officer charged with a great responsibility, for which very few public officers had the necessary ability and skill—if such an officer, charged with the construction of those great works for the defence of England, found, from experience, after he had made his first designs, that those designs could be improved upon and made more fit for the purpose, he ought not to be made the object of censure and condemnation for making the improvement. It should be remembered, too, that this was a time when not only every year, but almost every month was adding to our knowledge on these subjects. He would go no further, but he thought it sufficient to say that in the case supposed, even if there had been some change in the drawings, it ought not to be made a subject of too severe condemnation. He had already said that his promise was that, so far as he had the power, the target should be a correct representation of the fort to be afterwards constructed; but it should be always borne in mind—and it was a part of the case—that it was very difficult to construct a target with the real consistency of the fort, because they could not expect to find in a target of a few yards broad, the strength which the size, shape, and weight of one part of a fortress must give to another. Therefore, this was a thing in which some licence should be allowed. He was happy to say, however, that the preparations for the trial of the target were almost complete, and he hoped his noble Friend would not think it unfair that the target should represent two different constructions, and two different degrees of strength. It would be divided into two parts, one of which would represent what was intended to be the construction of the fort. The hon. Gentleman had complained that the target at Shoeburyness had been constantly altered. Now, he knew nothing about this; he had never heard that any such changes had been made, and his desire was to ascertain the facts before saying anything more on the subject. He came now to the experiments which had been made with respect to the shields. And there he thought the hon. Member for Cashel had been a little unfair when he said in speaking of his (Sir John Pakington's) conduct last autumn that "after much loss of time a Committee was appointed." Now, the facts were these. They did not hear until October—and the hon. Gentleman himself had fixed that month—of the trials of the two shields. He was very sorry they had not been tried long before, and he quite admitted that they ought to have been tried long before they were sent to Gibraltar and Malta. He believed it was owing to the great pressure of the moment for national defence that they were hurried out as fast as possible; therefore, he threw no blame on any one. But the trial was made, the shield failed, and what was his course? As far as he remembered he did not allow a week to pass before he requested his hon. and gallant Friend next him (Sir John Hay) to resume his old post as Chairman of the Iron Plate Committee—and no more competent body could be got—with the view of resuming the experiments and testing the quality of the shields. His hon. and gallant Friend discharged that duty with his usual ability. It appeared that the hon. Member had seen the Report, and had expressed himself satisfied with it. He hoped, therefore, the hon. Member would not be disposed to find fault with the course which he had taken. He had here to remark on a part of the practice of that House which had prevailed for some few years, that certain portions of their Papers—but what they were, or where the line was drawn, he did not know—were sent to an Office, and were not in the hands of Members unless they chose to ask for them. Great inconvenience arose from this practice, and in the present instance the hon. Member ought to have been in possession of the information which one of these Papers which were not distributed contained. I have myself suffered from this non-distribution of Papers, and I am satisfied that, though the omission is traceable to considerations of economy, the public interests suffer from it. With regard to the Committee which he had lately appointed, he had formerly stated, in answer to a question asked by the hon. Member himself, the motives which had led to its appointment. Not long ago there was a discussion on the subject of the fortifications, and the House was than told that some of them were constructed on marshy ground, that some had cracked, that the scarps had fallen in; that others were built on chalky ground, and could not be relied on; that, in fact, they were in an unsatisfactory state, considering the money which had been spent on them. Now, it was too late to talk about the original plans, and he was not responsible for them; but he had no doubt that the able men called in by Lord Palmerston acted to the best of their ability at the time, and availed themselves of all the scientific knowledge of the day. The complaints to which he had referred rested on the mere assertion, first of one amateur and then of another, for he could only regard his noble Friend the Member for Haddington—if his noble Friend would forgive him for saying so—as an amateur. His noble Friend fortified himself by reading an extract from the *St. Pauls's Magazine.* He had never heard before of the *St. Paul's Magazine.* He had a great respect for St. Paul, but not for *St. Paul's Magazine.* Then down came the hon. and gallant Member for Aberdeen one night, and the noble Lord the Member for Haddingtonshire on another night, with their remarks on the question. When he asked the hon. and gallant Member for his authority, he said it was a writer in *The Times,* whose name he knew but must not tell. Yet, those were the grounds upon which the decision of men of the highest scientific character—men like Sir John Burgoyne—was to be impugned and condemned, and their works stigmatized. However, he thought the time was come to meet these anonymous and amateur censures, and he accordingly appointed a Committee of Inquiry, and put at the head of it an officer of great distinction and ability, Sir Frederick Grey, in whose competence and honour he had entire trust. With that officer he associated Mr. Hawkshaw, Colonel Harness, Colonel Simmons, and Colonel Dixon. He had since added to the Committee an eminent artillery officer, Colonel Evans, and he did not believe he could have selected men more worthy of public confidence. He hoped that the House would be content to wait for the Report of that Committee, composed, as it was, of such competent persons; and he must decline to accede to the Resolution moved by the hon. Member who had departed most inconveniently from the practice of the House, in not having given notice of the import of his Motion. The Resolution embraced two propositions. The first was that all further expense with regard to the fortifications should be suspended. Now, to that proposition, he could not assent, as it would touch a large amount of existing contracts. The hon. Member desired to add to the Committee two Members of that House and a Civil Engineer. Now, he was as desirous as anyone that the constitution of the Committee should give satisfaction, but he doubted whether the Committee would derive any additional strength from having two Members of that House upon it, or acquire additional power by being made more numerous.

Mr. CHILDERS confessed that he felt some difficulty in addressing the House on the subject, because, from the want of proper notice of the Resolution, no one could tell what precise proposition was to be brought forward. At the same time he could not help noticing the remarkable line taken that evening by Gentlemen on the Treasury Bench. Lord Palmerston's policy and the responsibility of the present Government in connection with it had been treated in a manner entirely undefensible. The House was pretty severely lectured the other night from the Treasury Bench upon the matter of expenditure, and told that those who did not object to any particular public expenditure were just as responsible for it as those who proposed it. If that were true, how much more responsible must be those who not only did not object to the expenditure for the fortifications, but voted for it. He had taken the trouble to refer to the record which showed who did and who did not support the particular policy with respect to these fortifications which was adopted in 1860, and he found, among other names in favour of the proposal, which was then made by the Government of Lord Palmerston on the subject, the names of the First Minister of the Crown, the Secretary of State for War, the First Lord of the Admiralty, the Secretary of State for India, and several other Gentlemen by whom his hon. and gallant Friend the Member for Stamford (Sir John Hay) was now cheered. When, therefore, his hon and gallant Friend told the House, not only that the present Government were in no way responsible for those fortifications, but that the fortifications themselves were, to a great extent, useless, his hon. and gallant Friend must excuse him for enlarging on the doctrine which had been laid down, and maintaining that the occupants of the Treasury Bench were responsible for those useless works. He hoped, he might add, that hon. Members would not run away with the idea that it was any light matter which they were discussing. He himself was perfectly free so far as the original question of the construction of those fortifications was concerned, inasmuch as he had taken no part in the two divisions on the original Resolutions of 1860. Standing in that position he must say he thought, after the declaration of his right hon. Friend the Secretary of State for War, the public mind should be set at rest on the subject. The words which the right hon. Baronet had used towards the end of his speech were, in his opinion, perfectly sound, and he could not blame him for saying that he was not prepared to adopt a Resolution like that under discussion without notice, and under all the circumstances of the case, seeing that there was a large number of contracts at the present moment on hand. That being the view of the Government, he would suggest to his hon. Friend the Member for Cashel that, instead of the second part of his Resolution, the terms of which he was sure he would admit were too trenchant, he should accept the following words by way of Amendment:—

> "That in the opinion of this House, no further outlay on the Fortifications for the defence of the United Kingdom and of the Colonies, except such as may be absolutely necessary under existing Contracts, or to complete works which cannot be suspended without serious inconvenience, ought to be incurred until the Report of the Committee recently appointed, shall have been laid before this House."

A Resolution like that would, he believed, if adopted entirely satisfy the public mind, and be in accordance with that moderate course which his right hon. Friend at the conclusion of his speech pointed out. Then again, with reference to the first proposition of his hon. Friend, "that two Members of this House and a Civil Engineer be added to the Committee," he wished to say that he objected to the proposed appointment of Members of that House, inasmuch as it would have the effect of taking away, in a great measure, the responsibility in the matter, which ought to rest solely on the shoulders of the Executive Government; and his right hon. Friend had promised that he would appoint a civil engineer. He hoped his hon. Friend the Member for Cashel would accept the Amendment which he had suggested.

Mr. O'BEIRNE said, he had no wish to inconvenience the right hon. Baronet the Secretary of State for War, or act discourteously towards him or the House. The best course would be to move the adjournment of the debate; but as that could not be done, he should not press his Motion to a division.

Lord ELCHO said, he should not have trespassed on the attention of the House had he not understood that his right hon. Friend the Secretary of State for War had in his absence coupled his name with that of St. Paul. Now, he had quoted on a former occasion from the *St. Paul's Magazine* because the article from which the quotations were extracted, appeared to him to be a very able one, and to have been written by a person who thoroughly understood the subject on which he was writing. He should not, perhaps, have referred to it had not an article of a similar character been published in *The Times* newspaper, in consequence of which a question had been put by the gallant General opposite (General Dunne) to the right hon. Gentleman the Secretary of State for War (Sir John Pakington), in reply to whose answer *The Times*' correspondent wrote a letter, maintaining the accuracy of his original statement. But, be that as it might, the country had, at all events, he thought, good reason to rejoice that the *St. Paul's Magazine* and the communication of *The Times*' correspondent had been quoted in that House, for it was, perhaps, not a little owing to that circumstance that an inquiry into the real state of the fortifications was instituted. He had never questioned the propriety of the Report of the Commission issued by Lord Palmerston, and which recommended the expenditure of the public money upon fortifications; but, assuming that it was necessary that they should be constructed, he had expressed his doubts as to whether the nation was getting the worth of the money expended, and experience had now shown that it might as well have been thrown into the sea, because they were not constructed in such a manner as to resist modern artillery. It was from a belief that the Plymouth fort did not fulfil that condition that he last year brought the subject before the House. He admitted that his right hon. Friend, since he had been in Office, had acted with perfect fairness, and had shown every willingness to have a thorough inquiry. But what he had asked of his right hon. Friend last year was to let them have a section of that Plymouth Breakwater fort as per drawing signed by Colonel Jervis on the 19th of January, 1867, and issued to the contractor. His right hon. Friend implied that he (Lord Elcho) was actuated in the course he took by personal motives: he absolutely disclaimed anything of the kind. Whenever the Minister in cases like that defended the acts of an officer in his Department whose conduct was supposed to be impugned by a Member of that House, he invariably elicited a cheer. For himself, however, he did not in the least attack the individual, but the work; and if the work was found to be faulty he left the House and the country to form their own opinion as to whether the individual was or was not to blame. His right hon. Friend undertook that there should be a section of that fort, but a section as it was now intended to be constructed. That was not what was, he believed, the understanding come to between his right hon. Friend and himself last year. That understanding was that it should be a section of the fort, not as it was intended to be constructed at some future time, but as it was intended to be constructed as per drawing signed by Colonel Jervis on the 19th of January, 1867, and issued to the contractor. In November last he had reason to believe there was a departure from that understanding, in so far as that the section which was being constructed was not according to the design as contracted for, and a Question was asked in the House on the subject. He then went abroad, and when he came home in March he had still further reasons to believe that the original understanding was departed from, and had to bring the matter before the House. What he then wanted, and what was promised by his right hon. Friend, was that there should be two drawings published—namely, one of the fort as originally designed, and another of the same section of the fort with such alterations marked and coloured as would show how it was eventually intended to be erected, so that the public might judge between the two. His firm conviction was that the section as it was now intended to be put up and to be fired at would be found to be as different from the fort originally meant to be constructed as that fort of iron differed from the original design of 1860. If there had not been external action—if the question had not been raised in that House, he believed that fort would have been constructed as it was originally designed and contracted for, and that the country would have had a bad article instead of a good one, whereby the public money would have been wasted.

Mr. BAZLEY said, he considered that the investment of the public money in fortifications was essentially a bad one, and that, as pointed out in a former debate by General Peel, the real defence of the country was to be found in the fleet and in floating batteries. They had been in reality throwing the money of the national Treasury into the sea. The proposal for the construction of the fortifications was made and agreed to at a time of national panic, when it was supposed that an enemy was about to invade us. But during the past eight years no enemy had invaded them, though the forts had not been constructed, and why should they go on spending this enormous sum of public money on such a chimerical idea? Besides, an enemy would never attempt to land in the face of forts, but would seek some other part of the coast on which to land. They must remember that when the fortifications were constructed, an enormous expense would have to be incurred to defend them; and they would, after all, be perfectly useless. He was glad he was one of the thirty-nine Members who, from the very first, protested and voted against this extravagant expenditure, and was sorry that the House did not take the advice of the right hon. and gallant Member for Huntingdon (General Peel), who so justly pointed out that, in the event of an enemy landing, they might, by means of the existing railway communication, concentrate troops in a few hours, in any part of the kingdom. No real economy would be effected for the nation, until the execution of these fortifications was totally suspended. Believing that the fortifications, when constructed, would be utterly useless, he would move that all investments in fortifications should, from the present time, cease and determine.

Mr. SPEAKER informed the hon. Gentleman that there being an Amendment before the House, the one he had now moved was inadmissible.

Sir JOHN PAKINGTON said, that since he had come into Office he had endeavoured to deal with the question in various ways and with the utmost fairness and moderation, and he was obliged to the noble Lord opposite (Lord Elcho) for the admission he had made to that effect. He would appeal to the hon. Member for Pontefract (Mr. Childers), whether it would not be a departure from the usual practice of the House on a matter of great importance if they adopted the proposal he now made? It was a Motion without Notice in reference to a large expenditure, which might be condemned in one moment, and rightly condemned, but which had been going on for a period of eight years. Large sums of money had been expended on works of the greatest national importance; and he submitted to the House with very great confidence that, if they were to reverse their policy and abandon what was done in 1860, they ought not to do so without the fullest notice and the gravest thought. He must say he did not feel at liberty to accept a proposal of that serious importance without a reference to his Colleagues in the Cabinet. The proposal of his hon. Friend who had spoken of the impropriety in the hon. Member for Cashel making a Motion without Notice was itself moved entirely without any Notice; and he appealed to the House whatever its ultimate decision might be, not to proceed with precipitation. He had already promised that the Instructions to the Committee should be laid on the table. Well, they were not going even to wait for those Instructions, and if the Motion of his hon. Friend were accepted by the House he believed it would be necessary to alter them.

Sir GEORGE GREY said, the right hon. Baronet opposite altogether misunderstood the object of his hon Friend (Mr. Childers). There were two questions involved, one was whether it was desirable that their great arsenals should be placed in a state in which they could be defended from the attack of a foreign enemy; and the other was, whether the manner in which the fortifications were being executed would best attain the end in view. His hon. Friend the Member for Pontefract (Mr. Childers) had raised no doubt as to the first—he had not proposed a reversal of the present policy, or that the fortifications should not be erected. But the question raised was whether there should be an alteration in the manner of their construction? Complaints having been made that these fortifications were being erected in a way that would render them useless for their object, the Government had very properly appointed a Committee to examine into and carefully report upon the manner in which they were being executed. He believed that the complaints against the fortifications were unfounded, but the appointment of a Select Committee implied that there was some doubt on the subject. There was great force in the objection of the Secretary for War that the Motion had been made without notice, and that, in consequence, he wished to consult his Colleagues. The best plan would therefore be to adjourn the debate. No public inconvenience would arise from postponing any ulterior expenditure, as the Report of the Committee was likely to be obtained in a short time. He would suggest that the debate be now adjourned. [Mr. SPEAKER intimated that this could not be done.] He would then recommend the hon. Member for Cashel to withdraw his Amendment on the understanding that he should have an early opportunity of bringing the matter on again after the right hon. Baronet had consulted his Colleagues.

**MR. O'BEIRNE** said, he would accept the Amendment of the hon. Member for Pontefract.

**MR. SAMUDA** said, he wished to draw the attention of the House to the fact that the Royal Commission made two recommendations—one with reference to fortifications, the other with regard to floating batteries for the defence of our shores. If the matter was re-considered by the Government, it would perhaps be found that they had carried out the less important matter, and neglected the more important of the two.

**MR. SPEAKER**: The Secretary of State for War has taken exception to the terms of the Notice of the hon. Member for Cashel (Mr. O'Beirne), as not being sufficiently precise and complete, and I should wish to take the direction of the House, as to what should be the practice for the future. It is a rule of the House, that no original Motion should be made without due Notice; but of late years, on the question of going into Committee of Supply on Fridays, the Motions all partake of the nature of original Motions, though made in the form of Amendments to the Motion, "That the Speaker do now leave the Chair;" but they are, in fact, a succession of original Motions, which Members expect will be called on in due order. Now, this is a new practice, and I should like to know if it is the opinion of the House that Notices for Friday should be given in sufficient time and in as complete a form as original Motions. I do not wish to say anything with regard to this particular case, because the practice has not been settled. The Notice to call attention to the question of fortifications, and to move a Resolution by the Member for Cashel, would have been sufficient Notice at a week's distance: but before the day arrived, it would have been suitable and proper that the exact terms of the Resolution should appear upon the Paper. And if that is the general opinion of the House, it is a course that ought to be followed for the future. With regard to the Amendment of the hon. Member for Pontefract (Mr. Childers), it is not liable to the same objection, because it constantly happens in the course of the debate that the original Motion is objected to, and that having been withdrawn another is substituted more acceptable to the House. I have taken the liberty of making these observations to the House, rather with the view of collecting the opinion of the House with regard to its future practice.

**MR. GOSCHEN** put it to the hon. Member for Cashel, whether it would not be well to bring this question before the House again? [*Cries of* "Divide!"] Hon. Members opposite were not acceding to the wish of the right hon. Baronet the Secretary for War, who had pleaded that sufficient Notice had not been given. [*Renewed cries of* "Divide!"] As it seemed the wish of the House to divide, they must each vote according to their convictions, and he had no option, but to support the Motion of the hon. Member for Pontefract.

Amendment, by leave, *withdrawn.*

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, no further outlay on the Fortifications for the defence of the United Kingdom and of the Colonies, except such as may be absolutely necessary under existing Contracts, or to complete works which cannot be suspended without serious inconvenience, ought to be incurred until the Report of the Committee recently appointed shall have been laid before this House,"—(*Mr. Childers,*)

—instead thereof.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 93; Noes 48: Majority 45.

Question again proposed, "That Mr. Speaker do now leave the Chair."

## INDIA—BANK OF BOMBAY.—QUESTION.

Mr. AYRTON said, he supposed the House would not go into Committee that night, and he therefore rose to call attention to the Papers laid on the table with reference to the Bank of Bombay, and to ask a Question thereupon. The Question was one of pressing importance, relating as it did to the existence of an institution in Bombay, which had a very great effect upon the state of public credit and credit generally in Bombay, and might indirectly seriously affect the credit of this country. In consequence of the failure of the Bank of Bombay, a new bank had been established, and the Government had established relations with it, resembling those which it had sustained with the late Bank. To this he should have felt no objection but for the extraordinary circumstance that all the evils that existed in the old Bank, and that led to its failure, had been re-created in the new Bank, which was to be supported by the Government of India. The old Bank was founded in 1840. It was established by an Act of the Legislative Council, which defined the powers and duties of the directors. The Court of Directors in England sent out instructions on which the Bank Act was passed; and they adopted this fundamental policy, that it was improper to give to a bank in India those unlimited powers which were given to similar institutions in this country; that no funds should be advanced, except on security, either of public loans of the Government of India, or merchandize, or bills of exchange having the security of an independent and solvent person in addition to the drawer and acceptor; and further, that no one should obtain upon his own credit loans exceeding £30,000. There was a further provision that the length of credit to be given should be limited to three months; and there was a strict prohibition against the funds being appropriated in any other manner. Under this admirable system the Bank was carried on for many years, and its credit stood higher than the credit of any bank in the world. Unfortunately, however, a change was made in the constitution of the Bank. A new law was passed empowering the directors to advance money on cash credit, and to buy and sell bills of exchange without those restrictions. Thus they were at liberty to advance what they pleased on the security of a single person, without any collateral security. Then began in Bombay an inflation of credit, before that time unknown; and when, on the failure of the Bank, the Government called for an explanation of the cause, a schedule was delivered, from which it was apparent that it arose from the changes which had been made. In that schedule he found this — Financial company, bill discounted £100,000, no security; fixed loan, £113,000, no security; a merchant, £50,000, cash credit, and no security. And those three items represented the character of the institution which had failed. In proposing the establishment of a new bank one would have expected that there would be an avoidance of the errors that had brought the old Bank to grief. But looking at the constitution of the new Bank he was surprised to find that there was precisely the same power given to invest funds without security that existed in the old Bank. Under these circumstances he was surprised to find that the Government of Bombay proposed to take shares in the Bank, and that the only security they proposed for their own protection was the appointment of an auditor or inspector, who would not be able to control any laches in the management of the business of the Bank as it proceeded from day to day. The reason assigned for the Government taking shares was, that persons of influence would not take shares unless the Government did so. On making inquiry who those persons of influence were, he was surprised to find that one distinguished member of the Council of the Governor General had applied for shares while these negotiations were pending, and that he threatened to withdraw his application unless matters were thus arranged to his satisfaction. Now, he had always thought the besetting sin of Indian administration was the tendency of its members to embark in joint-stock companies, but he did not expect to find this instance of it. He knew the gentleman in question to be a man of the highest sense of honour; but there were hundreds who would imitate his example for one that would imitate his motive, and in India people did not discriminate. He thought that the Government of India should merely watch over the accuracy of its own account, and that it should be made clear that the Government had no intention of securing either the public or the shareholders against loss. He wished, therefore, to know, what were the views of the Secretary of State for India on these points, and he ventured to suggest that—if it had not already been done—orders should be sent out to India directing and insisting on the constitution of the new Bank on the same principle as that which at its outset regulated the old Bank; that the powers of the directors should be regulated, not by a mere deed of incorporation, but by an Act of the Legislative Council, which should make it penal for the directors to misappropriate the funds of the institution.

Mr. DYCE NICOL said: I will not detain the House beyond urging, in the strongest manner, on the right hon. Baronet the Secretary of State for India the severing of the present connection between the Bombay Government and the Bank of Bombay, a continuance of which exposes the Government to a repetition of the difficulty in which they are now involved with the old Bank—calculated, as it is, to degrade the authority of the Government in India, and placing it in an entirely false position by assuming a responsibility before the public which, when called on to fulfil, it is under the necessity of repudiating. The present time appears, also, opportune for dissolving this commercial partnership. The community of Bombay have in a great measure recovered from the effects of their insane speculations, and have been the chief recipients of the millions expended in the Abyssinian expedition, while the chief article of export—namely, cotton—has, within the last few months, increased in value 100 per cent, there can be no longer any claim for the interposition of the Government credit in banking operations. I trust, therefore, that the right hon. Baronet will give early notice of the withdrawal of the Government from this co-partnership, and to intimate to the Banks of Bengal and Madras the intention of Government of adopting the same course with those institutions at the expiry of their present charters.

Sir STAFFORD NORTHCOTE said, he wished to explain to the hon. Member who last spoke that he (Sir Stafford Northcote) was in error when he told him the other day, in answer to a question, that the Act of 1863, which made an alteration of the charter of the Bombay Bank, had not been sent home before it was sanctioned. It had not been sent to the usual Department to which these dispatches came—he meant the Judicial Department; but he now found it had been sent to the Finance Department, and was therefore submitted to the Secretary of State before it was considered by the Legislative Council. With regard to what had fallen from the hon. Member for the Tower Hamlets (Mr. Ayrton) he agreed with most of what the hon. Member had said; but he had to state that the Bank had only been temporarily constituted under articles of association which had been considered by the Home Government. The Secretary of State in Council had already sent a dispatch to Bombay pointing out that the articles of association were not satisfactory, and expressing a desire that an Act should pass, and that a draft of this Act should be sent home to the Secretary of State, in order that its details might be considered here before it was submitted to the Legislature of Bombay. When the draft came home it would be considered carefully, with a view to making it as perfect as possible. With respect to the question of the connection of the Government with banks, it was one on which his general opinion had in no way changed, but was rather strengthened by what had occurred. It was his opinion, as a general principle, that it was inexpedient for the Government to be shareholders in Presidency banks, and so rendered, to all appearance, responsible for their management. When the question of allowing the Government to take shares in the new Bank at Bombay came up for decision, he felt so strongly upon it that he overruled the opinions of a large majority of his Council, and sent out a despatch objecting to take shares. In the particular case of Bombay, however, he subsequently surrendered his own opinions upon finding that without the co-operation of the Government it would be impossible to re-establish the Bank, and that if it were not re-established great difficulties would arise and great injustice would be done to the mercantile community in Bombay. His assent, however, had been accompanied with this condition—that a Commission should inquire into the whole subject, and should examine whether the precautions taken were sufficient, or whether it was desirable that any other arrangements should be made. He hoped that by that inquiry some conclusions might be arrived at which would regulate the future relations between the Governor General of India and the Presidency banks generally. In the case to which reference had been made there would be no ground for comment or censure, either as to the spirit or intention of the distinguished person referred to. He was a shareholder in the old Bank of Bombay, and when the new Bank was proposed to be re-constituted, he made an application in the ordinary course for shares, under the impression that the Government were to be shareholders as before. Finding, however, that an objection was raised by the Secretary of State, he at once said that altered the position of affairs, and withdrew his application. There could be no doubt that both the application and the withdrawal were perfectly right; but it was equally true that this proceeding on the part of a person so exalted in position exercised an immense effect throughout a country like India. The question whether it was possible to lay down any rules forbidding Members of the Government or persons employed in Government Departments to hold shares in banks, he had discussed privately in letters with Sir John Lawrence and with menbers of his own Council; but it was exceedingly difficult to arrive at a decision as to putting limits to private investments; and he could only hope that the Report of the Commission would throw some light upon it. He did not commit himself to any positive opinion upon the point, but owned that he thought the present arrangement undesirable. Power would be given—probably had been given by this time—to the Commission to take evidence in India; and he had desired the Governor General to facilitate, if necessary, the adjournment of the Commission to England, though he did not expect that such a course would be necessary. Sir C. Jackson had sailed that day for Bombay, and had directions from him (Sir Stafford Northcote) to obtain power, if necessary, to carry on the inquiry without delay.

Mr. GOSCHEN said, he did not intend to offer one word of hostile criticism upon what had been done by the right hon. Baronet. Not the least satisfactory part of his explanation was that in which he stated his views as to the undesirableness of the Government becoming shareholders in a bank. But there was one moral to be drawn from the case of the old Bank of Bombay which ought not to be overlooked—namely, the inefficiency and unreliable character of Government inspection and Government interference in commercial matters. Where there was Government inspection the public was always likely to cease to be vigilant or to contest the action of the directors; and then if anything went wrong they held the Government responsible for what really was the result of their own want of caution. It was very desirable, now that there was a constant demand for Government supervision and direction in a variety of ways, that from the recent occurrences in India a lesson should be drawn and that it should be impressed both upon the Government and the mercantile community. Anything more disastrous than this case of the Bank of Bombay he could hardly conceive, for it had covered the Government of Bombay with a kind of discredit, at the same time that the supervision of the Government had wholly failed to avert that ruin against which it was supposed to operate as a complete safeguard.

Mr. KINNAIRD said, he thought it certain that the fact of a member of the Council of Government in India being connected with the management of a bank must give a great impulse to speculation. As matters stood in India, it appeared as if there were an irresponsible Council which was continually reversing the opinions of the Secretary of State and the House of Commons. He hoped that the right hon. Baronet the Secretary of State for India would adopt effective measures to prevent a recurrence of the evils complained of. The right hon. Baronet had not distinctly stated that he had taken steps to prevent the possibility of a member of the Governor's Council becoming a shareholder.

Motion, by leave, *withdrawn.*

Committee *deferred* till Monday next.

## ARTIZANS' AND LABOURERS' DWELLINGS BILL—[Bill 88.]

(*Mr. M'Cullagh Torrens, Mr. Kinnaird, Mr. Locke.*)

### THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. M'Cullagh Torrens.*)

Mr. AYRTON said, that as the Bill stood persons who had no interest in the finances of the metropolis would be at liberty to impose burdens on the taxpayers. With a view of having this altered he moved the re-committal of the Bill.

Amendment proposed,

To leave out from the words "Bill be" to the end of the Question, in order to add the words "re-committed, for the purpose of amending the Schedule,"—(*Mr. Ayrton,*)

—instead thereof.

SIR JAMES FERGUSSON said, this was not a Government Bill, but last year the First Minister of the Crown stated that the hon. Member for Finsbury (Mr. Torrens), who introduced it, would have his sympathy. The question raised by the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) was not a new one. The House, after a full discussion of the subject, had decided on adopting the area of the Metropolitan Board of Works. No sufficient reasons for re-considering that decision had been advanced either by the hon. Member or by the deputation that had waited that morning upon his right hon. Friend the Secretary of State for the Home Department, and his right hon. Friend was of opinion that there were no good grounds for re-committing the Bill.

MR. LABOUCHERE said, he apprehended that the effect of the Bill would be to increase and not as was supposed to diminish the inequalities of taxation in the metropolis. The measure would impose a charge of 2*d.* in the pound for the purpose of carrying out objects which could be effected equally well without it. The vestries, and not the Board of Works which did not possess the confidence of the ratepayers, ought to be charged with carrying out the measure, and he would appeal to the hon. Member for Finsbury to agree to its being re-committed.

MR. MELLY, as representing a large constituency of 150,000 persons, objected to the re-committal of the Bill, which he hoped would be at once read a third time and passed.

COLONEL HOGG said, that the accusations made against the Metropolitan Board of Works were unfounded. The Board did not wish for additional responsibilities, although they would discharge to the best of their ability any fresh duties which Parliament might impose upon them.

MR. FAWCETT thought it was altogether too late to raise the objections made by the hon. Member for the Tower Hamlets.

MR. HARVEY LEWIS said, he felt that the metropolis had not had opportunity enough to consider this Bill. The Bill had been hurried through the House and therefore it ought to be re-committed.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read the third time, and *passed.*

### WAYS AND MEANS.

*Considered* in Committee.

(In the Committee.)

1. *Resolved,* That, towards making good the Supply granted to Her Majesty, the Commissioners of Her Majesty's Treasury be authorized to raise any sum of money, not exceeding £600,000, by an issue of Exchequer Bonds.

2. *Resolved,* That the principal of all Exchequer Bonds which may be so issued shall be paid off at par at any period not exceeding five years from the date of such Bonds.

3. *Resolved,* That the interest of such Exchequer Bonds shall be payable half-yearly, and shall be charged upon and issued out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, or the growing produce thereof.

Resolutions to be reported upon *Monday* next.

Committee to sit again upon *Monday* next.

### WEIGHTS AND MEASURES (SCOTLAND) BILL.

On Motion of Mr. CRAUFURD, Bill to amend the Acts relating to Weights and Measures in Scotland, *ordered* to be brought in by Mr. CRAUFURD and Sir EDWARD COLEBROOKE.

Bill *presented,* and read the first time. [Bill 109.]

### JURORS' AFFIRMATIONS (SCOTLAND) BILL.

On Motion of Mr. CRAUFURD, Bill to give relief to Jurors who may refuse or be unwilling, from alleged conscientious motives, to be sworn in Civil or Criminal Proceedings in Scotland, *ordered* to be brought in by Mr. CRAUFURD and Mr. DUNLOP.

Bill *presented,* and read the first time. [Bill 110.]

### CUSTOMS AND INCOME TAX BILL.

Bill "to grant certain Duties of Customs and Income Tax," *presented,* and read the first time. [Bill 108.]

House adjourned at half after Twelve o'clock, till Monday next.

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TO

# HANSARD'S PARLIAMENTARY DEBATES,

## VOLUME CXCI.

### SECOND VOLUME OF THE SESSION 1867-8.

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### EXPLANATION OF THE ABBREVIATIONS.

In Bills, Read 1°, 2°, 3°, or 1ª, 2ª, 3ª, Read the First, Second, or Third Time.—In Speeches, 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—*1st. Div.*, *2nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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- Question, Mr. Watkin; Answer, Mr. Gathorne Hardy *April* 2, 706
- Moved, "That the Bill be now read 2º" (*Mr. Gathorne Hardy*) *April* 20, 1014
- After short debate, Moved, "That this House do now adjourn" (*Mr. Serjeant Gaselee*); Motion withdrawn; main Question put, and agreed to; Bill read 2º
- Question, Mr. Hibbert; Answer, Mr. Gathorne Hardy *May* 5, 1786

*Boundary Commission—Assistant Boundary Commissioners' Reports*
- Questions, Mr. Serjeant Gaselee, Mr. Darby Griffith; Answers, Mr. Disraeli *Mar* 24, 146

Bouverie, Rt. Hon. E. P., *Kilmarnock, &c.*
- Ecclesiastical Commissioners Orders in Council, 2R. 327; Comm. 1199
- Election Petitions and Corrupt Practices at Elections, Comm. 313
- Marine Mutiny, Consid. 573
- Ministerial Statement, 1726
- Mutiny, 3R. 571
- Representation of the People (Scotland), 1885
- Roman Catholic Oath, 1582

Bowyer, Sir G., *Dundalk*
- Election Petitions and Corrupt Practices at Elections, Comm. 301
- Established Church (Ireland), Comm. 1422, 1424
- India—Case of Sir T. J. Metcalfe, Motion for a Committee, 1280
- Licences, Res. 159
- London Coal and Wine Duties Continuance Comm. *add. cl.* 205
- Ministerial Statement, 1745
- Municipal Corporations (Metropolis), Leave, 1863
- Parliament—Business of the House, 1680
- Peerage (Ireland), 2R. 1564
- Supply—British Embassy Houses, 987
  - Royal Palaces, 1010, 1012
  - Volunteer Corps, 277

BRADY, Mr. J., *Leitrim Co.*
Ireland — Imprisonment of Messrs. Sullivan and Pigott, 449
"Oliver Twist," Play of, 834
Representation of the People (Ireland), 2R. 1957

*Brazil, War in—Mediation*
Question, Mr. Horsman; Answer, Lord Stanley *Mar* 27, 359

BRETT, Sir H. B., *see* Solicitor General, The

BRIGHT, Mr. John, *Birmingham*
Established Church (Ireland), Comm. 645, 720, 769; Res. 1, 1649, 1908, 1932, 1941
Ministerial Statement, 1730, 1746, 1794

*Bristol, Representation of*
Question, Mr. Neville-Grenville; Answer, Mr. Powell *Mar* 27, 359

BROMLEY, Mr. W. DAVENPORT- *Warwickshire, N.*
County Financial Boards, 2R. 1558

**Broughty Ferry Provisional Order Confirmation Bill**
(*The Lord Advocate, Mr. Secretary Gathorne Hardy, Sir James Fergusson*)
c. Bill ordered * *April* 21
Read 1° * *April* 22 [Bill 90]
Read 2° * *April* 23
Committee *; Report *April* 27
Read 3° * *April* 28
l. Read 1ª * (*The Lord Clinton*) *April* 30 (No. 86)
Read 2ª * *May* 8

BRUCE, Rt. Hon. H. A., *Merthyr Tydvil*
Artizans' and Labourers' Dwellings, Consid. 1567
Burials (Ireland), 2R. 1080
County Financial Boards, 2R. 1550
Education, Technical—Mr. Whitworth's Endowment, 699
Infectious Diseases, Motion for an Address, 2011
Mines Assessment, 2R. 1868
Scientific Instruction, Motion for a Committee, 180, 181
Tancred's Charity, 2R. 234

BRUCE, Sir H. H., *Coleraine*
Established Church (Ireland), Comm. 616
Grand Jury Cess (Ireland), 2R. 210
Representation of the People (Ireland), 2R. 1957

BRUEN, Mr. H., *Carlow Co.*
India—Bonus Committee, The, 261

BUCKINGHAM, Duke of (Secretary of State for the Colonies)
Canada—Assassination of Mr. D'Arcy M'Gee, 1109
Compulsory Church Rates Abolition, 2R. 1113
Parliament—Business of the House, 1682
Victoria—Appropriation Act, 1967, 1976, 1977

BULLER, Sir E. M., *Staffordshire, N.*
Registration of Electors, 1458

**Burials (Ireland) Bill**
(*Mr. Monsell, Mr. Sullivan*)
c. Moved, "That the Bill be now read 2°" (*Mr. Monsell*) *April* 22, 1067
Amendt. to leave out "now," and add "upon this day six months" (*Colonel William Stuart*); Question, "That 'now,' &c.;" A. 74, N. 51; M. 23; Bill read 2° [Bill 5]

*Burials (Ireland) Bill—Mr. Monsell and the Dean of Cork*
Explanation, Mr. Monsell *April* 28, 1454

BUXTON, Sir T. F., *King's Lynn*
Slave Trade—Zanzibar, 1578
Supply—Volunteer Corps, 283

BUXTON, Mr. C., *Surrey, E.*
Army—Alleged Flogging of Mule Drivers in Abyssinia, 834
Capital Punishment within Prisons, Comm. 1039
Established Church (Ireland), Comm. 1470

CAIRNS, Lord (see CHANCELLOR, The Lord)

CAMBRIDGE, Duke of (Field Marshal Commanding-in-Chief)
Marine Mutiny, 2R. 683

CAMPBELL, Lord
Crete—Insurrection in, Motion for an Address, 803

*Canada—Assassination of Mr. D'Arcy M'Gee*
Question, The Earl of Carnarvon; Answer, The Duke of Buckingham *April* 23, 1108

CANDLISH, Mr. J., *Sunderland*
Artizans' and Labourers' Dwellings, Comm. *cl.* 8, Amendt. 675; *cl.* 11, *ib.*; *cl.* 14, Amendt. *ib.*, 676; Consid. 1567; Schedule, 1877
Boundary, 2R. 1014
Canongate Annuity Tax, 2R. 1098
Capital Punishment within Prisons, Comm. *cl.* 4, 1060
Industrial Schools (Ireland), Comm. *cl.* 11, 222, 223
London Coal and Wine Duties Continuance, Comm. Amendt 196
Mines Assessment, 2R. 1869
Pilotage, Compulsory, Res. 361, 373, 387
Supply—British Embassy Houses, 996
Harbours of Refuge, 1000, 1002
Works, Buildings, &c. 296

**Canongate Annuity Tax Bill**
(*Mr. M'Laren, Mr. Dunlop, Mr. Baxter*)
c. Moved, "That the Bill be now read 2°" (*Mr. M'Laren*) *April* 22, 1087
Amendt. to leave out "now," and add "upon this day six months" (*The Lord Advocate*); after debate, Question, "That 'now' &c.;" A. 59, N. 86; M. 27; Division List, Ayes and Noes, 1107
Main Question, as amended, put, and agreed to; Bill put off for six months

Canterbury, Archbishop of
  Compulsory Church Rates Abolition, 2R. 1123
  Education, 2R. 1309

**Capital Punishment within Prisons Bill**
(*Mr. Secretary Gathorne Hardy, Mr. Walpole, Mr. Attorney General*)
c. Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *April* 21, 1033
  Amendt. to leave out from "That" and add "in the opinion of this House, it is expedient, instead of carrying out the punishment of death within prisons, that Capital Punishment should be abolished" (*Mr. Gilpin*); after debate, Question, "That the words, &c.;" A. 127, N. 23; M. 104
  Main Question put, and agreed to; Committee; Report, 1055
  Considered as amended* *April* 27
  Read 3°* *April* 28 [Bill 36]
l. Read 1ª* (*The Duke of Richmond*) *April* 30
  Moved, "That the Bill be now read 2ª" (*The Duke of Richmond*) *May* 7, 1879; after short debate, Bill read 2ª (No. 83)
  Committee*; Report *May* 8

Cardwell, Right Hon. E., *Oxford City*
  Army Estimates—Land Forces, 93
  Ecclesiastical Commissioners Orders in Council, 1200
  Established Church (Ireland), Comm. 888
  Ministerial Statement, 1745, 1799
  Parliament—Business of the House, 1680

Carlisle, Bishop of
  Compulsory Church Rates Abolition, 2R. 1141

Carnarvon, Earl of
  Canada—Assassination of Mr. D'Arcy M'Gee, 1108
  Compulsory Church Rates Abolition, 2R. 1127
  Parliament—Business of the House, Report, 562; Res. 695
  Victoria—Appropriation Act, 1979

Carter, Mr. S., *Coventry*
  Established Church (Ireland), Comm. 622

*Cattle Plague*
  Question, Mr. Read; Answer, Lord Robert Montagu *April* 30, 1578
  *Importation of Foreign Cattle*, Observations, Lord Robert Montagu; Reply, Mr. Horsfall *April* 23, 1149

Cave, Rt. Hon. S. (Paymaster of the Forces and Vice President of the Board of Trade), *New Shoreham*
  Board of Trade—Private Bills, 831
  Carriage of Parcels by Railway, 1333, 1334
  Established Church (Ireland), Comm. Res. 1, 1604
  Merchant Shipping Consolidation, 699
  Passenger Steamers, Overloading of, 451
  Pilotage, Compulsory, Res. 371
  Private Bill Legislation—Standing Order 131 Repeal, 143; Explanation, 351, 356
[*cont.*

Cave, Right Hon. S.—*cont.*
  Railway and Joint Stock Companies Accounts, 2R. 1539
  Railways (Guards' and Passengers' Communication), 2R. 206
  Rule of the Road at Sea, 705
  Supply—Harbours of Refuge, 1000
    Lighthouses Abroad, 1003, 1004
  Thames River, Obstructions in the, 1577

Cavendish, Lord E., *Sussex, E.*
  Established Church (Ireland), Comm. Res. 1, 1611

Cavendish, Lord G. H., *Derbyshire, N.*
  Mines Assessment, 2R. 1869
  Turnpike Trusts, Motion for an Address, 2017

Cecil, Lord E. H. B. G., *Essex, S.*
  Army—Military Education, Res, 1819
  Weights and Measures, False, Commission on, 467

*Ceylon—Condition of*
  Amendt. on Committee of Supply *April* 20, To leave out from "That," and add "a Select Committee be appointed to inquire into the condition of Ceylon and the action of its Government" (*Mr. Watkin*), 971; after short debate, Question, "That the words, &c.," put, and agreed to

Chambers, Mr. M., *Devonport*
  Army—Military Education, Res. 1836
  Burials (Ireland), 2R. 1082
  Capital Punishment within Prisons, Comm. *cl.* 3, 1058; *cl.* 4, 1061
  Divorce and Matrimonial Causes Court, 2R. 1874

Chambers, Mr. T., *Marylebone*
  Artizans' and Labourers' Dwellings, Comm. *cl.* 6, 673; *cl.* 35, Amendt. 678

Chancellor, The Lord (Lord Cairns)
  Bankruptcy Acts Repeal, 2R. 1, 30, 803; Comm. 1217, 1219, 1220
  Compulsory Church Rates Abolition, 2R. 1136
  Ecclesiastical Titles in Great Britain and Ireland, Motion for a Committee, 252
  Established Church (Ireland)—The Resolutions, 1446
  Ministerial Statement, 1687, 1689
  Parliament—Business of the House, Res. 692
  United States—The "Alabama" Claims, Motion for Papers, 342, 349
  Victoria—Appropriation Act, 1987, 1994, 2000

Chancellor of the Exchequer (Right Hon. G. W. Hunt), *Northamptonshire, N.*
  Commissions, Permanent Expenses of, Res 1294
  Court of Chancery—Salaries and Expenses, 70
  Electric Telegraphs, Leave, 678, 681, 706
  Licences, Res. 153
  Parliament—Business of the House, 1680
  Post Horse and Carriage Licences Duties, Motion for a Committee, 194
[*cont.*

Chancellor of the Exchequer—*cont.*
Supply—British Embassy Houses, 988, 990, 994, 996
Harbours of Refuge, 1002
Mission House, Teheran, 999
Royal Palaces, 1011
Supply — Proceedings in — Resolution, 1029, 1031, 1464
Ways and Means—Financial Statement, 1149, 1173, 1190; Comm. Res. 1, 1751, 1770, 1772; Res. 2, 1774

*Charitable Institutions, Taxation of*
Question, Mr. Hadfield; Answer, Mr. Disraeli *May* 4, 1693

Chelmsford, Lord
Bankruptcy Acts Repeal, 2R. 26, 802, 803
Parliament— Business of the House, Res. Amendt. 696

Childers, Mr. H. C. E., *Pontefract*
Army Estimates—Land Forces, 77, 79
Army—Fortifications, Res. 2047
Ceylon—Condition of, Motion for a Committee, 979
Civil Service Estimates, 830
Commissions, Permanent Expenses of, Res. 1284
Court of Chancery—Salaries and Expenses, 700
Land Writs Registration (Scotland) Fees, 830
Middlesex Registry Office, 1146
Ministerial Statement, 1726
Mutiny, Comm. *cl.* 67, 325
Navy Estimates, 147
Parliament—Business of the House, 1681
Post Office—Case of A. J. Duffy, Motion for a Committee, 1298
Supply — British Embassy Houses, 989, 991, 992, 994, 996
Harbours of Refuge, 1001
Lighthouses Abroad, 1003
Mission House, Teheran, 999
Royal Palaces, 1004, 1006
Works, Buildings, &c. 286, 292, 294, 295
Supply — Proceedings in — Resolution, 1030, 1031
Ways and Means—Financial Statement, 1182; Comm. Res. 1, 1767, 1769

*China—Treaty of Tien-tsin*
Question, Colonel Sykes; Answer, Lord Stanley *April* 23, 1147

*Cholera in the Mediterranean*
Question, Sir J. Clarke Jervoise; Answer, Lord Stanley *April* 2, 703

**Church Rates Commutation Bill**
(*Mr. Newdegate, Colonel Stuart*)
c. Moved, "That the Bill be now read 2°" (*Mr Newdegate*) *April* 29, 1535; after short debate, Motion withdrawn

Clanricarde, Marquess of
Brecon and Neath Railway—Accident on the, 1879, 1881
Ecclesiastical Titles in Great Britain and Ireland, Motion for a Committee, 248, 250
Parliament—Business of the House, Report, 569; Res. 693, 694
Public Petitions, Motion for a Select Committee, 690

Clay, Mr. J., *Kingston-on-Hull*
Established Church (Ireland), Comm. Res. 1923

Cleveland, Duke of
Parliament— Business of the House, Report, 569; Res. 692

Clive, Mr. G., *Hereford City*
County Financial Boards, 2R. 1552
Established Church (Ireland), Comm. 752
Turnpike Trusts, Motion for an Address, 2012

*Coble, Mr., Case of*
Question, Mr. Bagnall; Answer, Mr. Sclater-Booth *April* 28, 1457

Cochrane, Mr. A. D. R. W. Baillie, *Honiton*
Crete—Insurrection in, Motion for an Address, 1248, 1255
Established Church (Ireland), Comm. 519
"St. Abbe," Survivors of the, 260

Cogan, Right Hon. W. H. F., *Kildare Co.*
Established Church (Ireland), Comm. Res. 1920

Colchester, Lord
Compulsory Church Rates Abolition, 2R. 1131

Colebrooke, Sir T. E., *Lanarkshire*
Supply—Volunteer Corps, 274

Coleridge, Mr. J. D., *Exeter*
Established Church (Ireland), Comm. Motion for Adjournment, 797, 837, 850

Collier, Sir R. P., *Plymouth*
India—Civilian Judges (Bombay), 1460
Libel, 2R. 664
Ministerial Statement, 1741

*Colliers in the Wigan District, Strike of*
Question, Major Anson; Answer, Sir James Fergusson *April* 24, 1224

*Colliery Accidents*
Observations, Mr. Greene *April* 28, 1464

*Commissions, Permanent Expenses of*
Amendt. on Committee of Supply *April* 24, To leave out from "That," and add "in the opinion of this House, the expenses of the Copyhold, Inclosure, and Tithe Commission, Inclosure and Drainage Acts, and Charity Commission, ought not to be borne by the public" (*Mr. Goldney*), 1280; after debate, Question, "That the words, &c.;" A. 104, N. 105; M. 1; Question, "That those words be there added;" A. 106, N. 105; M. 1; words added; main Question, as amended, put, and agreed to

**Compulsory Church Rates Abolition Bill**
(*Mr. Gladstone, Sir G. Grey, Sir R. Palmer*)
*c.* Question, Mr. Newdegate; Answer, Mr. Gladstone *Mar* 23, 39
Third Reading deferred, after short debate *Mar* 23, 101
Moved, "That the Bill be now read 3°" (*Mr. Gladstone*) *Mar* 24, 206
After short debate, Moved, "That this House do now adjourn" (*Mr. Newdegate*) put, and negatived; Question again proposed
Moved, "That the debate be now adjourned" (*Mr. Schreiber*); A. 28, N. 131; M. 103
After further short debate, original Question put, and agreed to; Bill read 3° [Bill 72]
*l.* Presented (*The Earl Russell*); read 1ª *Mar* 26
Moved, "That the Bill be now read 2ª" (*Earl Russell*) *April* 23, 1108; after debate, Bill read 2ª (No. 55)
Statement (*Earl Russell*) *April* 24, 1217
Moved, "That the House do now resolve itself into a Committee on the said Bill" (*Earl Russell*) *April* 30, 1570
After short debate, Motion withdrawn; Bill referred to a Select Committee
And, on May 1, Committee nominated; List of the Committee, 1574

Conolly, Mr. T., *Donegal Co.*
Ministerial Statement, 1712; Motion for Adjournment, 1717, 1719

*Consecration and Ordination Fees*
Question, Mr. Monk; Answer, Mr. Sclater-Booth *April* 27, 1332

**Consolidated Fund (£362,398 19s. 9d.) Bill**
*c.* Read 3°* *Mar* 23
*l.* Read 1ª* *Mar* 24
Read 2ª* *Mar* 26
Committee*; Report *Mar* 27
Read 3ª* *Mar* 28
Royal Assent *Mar* 30 [31 *Vict.* c. 10]

**Consolidated Fund (£6,000,000) Bill**
*c.* Read 1°* *Mar* 24
Read 2°* *Mar* 25
Committee*; Report *Mar* 26
Read 3°* *Mar* 27
*l.* Read 1ª* *Mar* 30
Read 2ª* *Mar* 31
Read 3ª* *April* 2
Royal Assent *April* 3 [31 *Vict.* c. 13]

**Consolidated Fund (£1,000,000) Bill**
*c.* Ordered* *May* 6

Cork, Earl of
Sea Fisheries, 2R. 466

**Corporation of London Bill**
(*Mr. Mill, Mr. Thomas Hughes, Mr. Tomline, Mr. Buxton, Mr. Layard*)
*c.* Ordered* *May* 5

Corrance, Mr. F. S., *Suffolk, E.*
Mines Assessment, 2R. 1870

Corry, Right Hon. H. T. L. (First Lord of the Admiralty), *Tyrone Co.*
India—Telegraphic Communication, 1450
Marine Mutiny, 2R. 99
Navy—Flogging on board the "Favourite," 37; —Retired Officers, 1693
Ways and Means, Comm. Res. 1, 1760, 1763

**Cotton Statistics Bill**
(*Mr. Bazley, Mr. Milner Gibson, Mr. Horsfall, Mr. Watkin, Mr. Cheetham*)
*c.* Ordered; read 1°* *April* 27 [Bill 96]
Moved, "That the Bill be now read 2°" (*Mr. Bazley*) *May* 6, 1874; Bill read 2°

**County Courts (Admiralty Jurisdiction) Bill**
(*Mr. Norwood, Mr. Headlam, Mr. Candlish*)
*c.* Committee*; Report *April* 24 [Bills 33-94]

*County Financial Arrangements*
Question, Sir William Gallwey; Answer, Mr. Gathorne Hardy *May* 4, 1694

**County Financial Boards (No. 2) Bill**
(*Mr. Wyld, Mr. Hodgkinson*)
*c.* Moved, "That the Bill be now read 2°" (*Mr. Wyld*) *April* 29, 1542 [Bill 52]
Amendt. to leave out from "That," and add "a Select Committee be appointed to inquire into the present mode of conducting the Financial Arrangements of the Counties in England and Wales, and whether any alteration ought to be made either in the persons by whom or the manner in which such arrangements are now conducted" (*The Judge Advocate*) *April* 29, 1558; after short debate, Question, "That the words, &c.;" A. 46, N. 154; M. 108; words added
Ordered, That a Select Committee be appointed to inquire into the present mode of conducting the Financial Arrangements of the Counties in England and Wales, and whether any alteration ought to be made either in the persons by whom or the manner in which such arrangements are now conducted (*The Judge Advocate*)
Committee nominated May 11; List of Committee—*see* page 93, vol. cxcii

**County General Assessment (Scotland) Bill** (*The Lord Advocate, Mr. Secretary Gathorne Hardy, Sir James Fergusson*)
*c.* Ordered; read 1°* *April* 2 [Bill 84]

**Court of Appeal Chancery (Despatch of Business) Amendment Bill** [H.L.]
(*The Lord St. Leonards*)
*c.* Committee*; Report *Mar* 24 [Bill 68]
Read 3°* *Mar* 26
*l.* Royal Assent *Mar* 30 [31 *Vict.* c. 12]

*Court of Chancery—Salaries and Expenses*
Question, Mr. Childers; Answer, The Chancellor of the Exchequer *April* 2, 700

Cowper, Earl
Parliament—Business of the House, Res. 696

Cowper, Right Hon. W. F., *Hertford*
Established Church (Ireland), Comm. Res. 1, 1601
London Coal and Wine Duties Continuance, Comm. *cl.* 2, 202
Metropolis—Burlington House, 467

Cranborne, Right Hon. Viscount, (See also Salisbury, Marquess of) *Stamford*
Established Church (Ireland), Comm. 532, 708
India—Systems of Government, 424
Tancred's Charity, 2R. 230, 231

Cranworth, Lord
Bankruptcy Acts Repeal, Comm. 1218
Capital Punishment within Prisons, 2R. 1870

Craufurd, Mr. E. H. J., *Ayr, &c.*
Canongate Annuity Tax, 2R. 1106
Election Petitions and Corrupt Practices at Elections, Comm. Motion for Adjournment, 321
Representation of the People (Scotland), 829, 2005

Crawford, Mr. R. W., *London*
Artizans' and Labourers' Dwellings, Consid. Schedule, 1877
London Coal and Wine Duties, Consid. *add. cl.* 327
Ministerial Statement, 1723, 1818
Postal—Eastern Mail Service, 258

*Criminal Law*
*Clerkenwell Explosion—The Convict Barrett,* Question, Mr. Rearden; Answer, Mr. G. Hardy *April* 3, 1579
*Devizes Gaol,* Question, Mr. Marsh; Answer, Mr. Gathorne Hardy *April* 28, 1455
*Featherstonhaugh, Mr., Murder of,* Question, Mr. Eykyn; Answer, The Earl of Mayo *April* 28, 1459
*Johnston, Mr., Case of,* Question, Colonel Forde; Answer, The Earl of Mayo *Mar* 30, 469
*Military Prisons,* Question, Mr. D. Griffith; Answer, Sir John Pakington *Mar* 23, 38
*Millar, The Convict (Victoria),* Question, Mr. Hurst; Answer, Mr. Adderley *April* 30, 1576
(See *Ireland*)

Customs and Income Tax Bill
c. Read 1° * *May* 8 [Bill 108]

*Customs Officers, Grievances of—Report of Commission*
Question, Mr. Graves; Answer, Mr. Sclater-Booth *April* 28, 1455

Dalglish, Mr. R., *Glasgow*
Ways and Means, Comm. Res. 1, 1766

Dawson, Mr. R. Peel, *Londonderry Co.*
Established Church (Ireland), Comm. 605
Industrial Schools (Ireland), Comm. 217
Representation of the People (Ireland), 2R. 1952

De Grey and Ripon, Earl
Marine Mutiny, 2R. 687
Parliament—Business of the House, Report, 567

Denbigh, Earl of
Crete—Insurrection in, Motion for an Address, 813

Denison, Right Hon. J. E., *see* Speaker, The

Denman, Hon. G., *Tiverton*
Capital Punishment within Prisons, Comm. *cl.* 3, 1057; *cl.* 4, 1061
Established Church (Ireland), Comm. Res. 1, 1496
Mines Assessment, 2R. 1868

Dent, Mr. J. D., *Scarborough*
Supply—Volunteer Corps, 272
Tancred's Charity, 2R. 231

Derby, Earl of
Compulsory Church Rates Abolition, 2R. 1124
Established Church (Ireland)—The Resolutions, 1303, 1425, 1434, 1437, 1446

Devon, Earl of (Chief Commissioner of the Poor Law Board)
Poor Relief, 2R. 138; Comm. 457
Scotland—Poor Assessment, Motion for Returns, 332

Dillwyn, Mr. L. L., *Swansea*
Established Church (Ireland), Comm. 1357
Supply—Volunteer Corps, 277
Royal Palaces, 1008

Dimsdale, Mr. R., *Hertford*
India—Retirement of Field Officers of the Indian Army, 830

Disraeli, Right Hon. B. (First Lord of the Treasury) *Buckinghamshire*
Abyssinian Expedition, 1337
Boundary Commission, 146
British Museum, 398
Charitable Institutions, Taxation of, 1693
Civil Service Estimates, 830
Compound Householder, The, 1785
Edinburgh, Duke of, Address to Her Majesty, 1334
Election Petitions and Corrupt Practices at Elections, Comm. Motion for Adjournment, 321, 702
Established Church (Ireland)—The Resolutions, 33, 35
Established Church (Ireland), Comm. 603, 797, 893, 920, 931, 1418, 1420, 1462; Res. 1, 1667, 1679; Res. 3, 1901, 1929, 1936, 1940, 1941, 1946

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**Disraeli**, Right Hon. B.—*cont.*
Member for Thetford—Titles of Dignity, 832
Ministerial Statement, 826, 1694, 1711, 1742, 1745, 1746, 1793, 1794, 1814, 1819
Parliament—Arrangement of Business, 264; —Easter Recess, 826
Registration of Electors, 1458
Representation of the People (Scotland), 829, 1885, 2005
Roman Catholic Oath, 1582
Supply—Proceedings in—Resolution, 1032

**Divorce and Matrimonial Causes Court Bill**
(*Mr. C. Forster, Mr. Headlam, Mr. Karslake*)
c. Moved, "That the Bill be now read 2°" (*Mr. C. Forster*) *May* 6, 1873; after short debate, Bill read 2° [Bill 50]

**Dixon**, Mr. G., *Birmingham*
Scientific Instruction, Motion for a Committee, 165

**Documentary Evidence Bill**
(*Sir James Fergusson, Mr. Secretary G. Hardy*)
c. Ordered; read 1°* *April* 27 [Bill 97]
Read 2°* *April* 30
Committee*; Report *May* 7
Read 3°* *May* 8

**Dodson**, Mr. J. G. (Chairman of the Committee of Ways and Means), *Sussex, E.*
Established Church (Ireland), Comm. 1400; Res. 1908, 1913, 1924, 1925, 1931
Private Bill Legislation—Standing Order No. 131 Repeal, 139
Supply—British Embassy Houses, 984
Royal Palaces, 1007, 1009, 1012

**Dunne**, Major-Gen. F. P., *Queen's Co.*
Army Estimates—Land Forces, 71
Ireland—Duty on Spirit Licences, 38

**Dyke**, Mr. W. Hart, *Kent, W.*
Established Church (Ireland), Comm. 1354

***East India Civil Service***
Moved, "That this House, whilst cordially approving of the system of open competition for appointments in the East India Civil Service, is of opinion that the people of India have not a fair chance of competing for these appointments as long as the examinations are held nowhere but in London; this House would therefore deem it desirable that, simultaneously with the examination in London, the same examination should be held in Calcutta, Bombay and Madras" (*Mr. Fawcett*) *May* 5, 1838
Amendt. to leave out from "open competition," and add "as regards the appointment of untried young men to the East India Civil Service, is of opinion that natives of India who have proved in the Uncovenanted Service or otherwise their superior fitness for situations at present held exclusively by Members in the Covenanted Service should [*cont.*

*East India Civil Service*—cont.
be appointed to them without undergoing a competing examination" (*Mr. Trevelyan*); Question, "That the words, &c.;" after short debate, Amendt. and Motion withdrawn

**Ecclesiastical Buildings and Glebes (Scotland) Bill**
(*The Lord Advocate, Mr. Secretary Gathorne Hardy, Sir Graham Montgomery*)
c. Read 2°* *April* 20 [Bill 58]

***Ecclesiastical Commissioners—Benefice of Kilpec, Hereford***
Question, Colonel Barttelot; Answer, Mr. Mowbray *April* 2, 701

**Ecclesiastical Commissioners Orders in Council Bill** [H.L.] (*The Lord Chancellor*)
c. Read 2°, after short debate *Mar* 26, 327
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" (*Mr. Gathorne Hardy*) *April* 23, 1194
Amendt. to leave out from "That" and add "this House will, upon this day six months, resolve itself into the said Committee" (*Mr. Bentinck*); Question, "That the words, &c.;" after short debate, Amendt. withdrawn
Main Question put, and agreed to
Committee; Report *April* 23
Read 3°* *April* 24 [Bill 69]
Royal Assent *May* 29 [31 *Vict.* c. 19]

***Ecclesiastical Titles in Great Britain and Ireland***
Moved, "That a Select Committee be appointed to inquire into the Operation of any Law or Laws as to the Assumption of Ecclesiastical Titles in Great Britain and Ireland; and whether any and what Alteration should be made therein" (*Earl Stanhope*) *Mar* 26, 239; after debate, Motion agreed to
List of the Committee, 255

***Edinburgh, His Royal Highness the Duke of***
Resolved, after short debate, "That an humble Address be presented to Her Majesty, to convey to Her Majesty the expression of the sorrow and indignation with which this House has learned the atrocious Attempt to assassinate His Royal Highness the Duke of Edinburgh while on a Visit to Her Majesty's loyal Australian Colonies, and of their heartfelt Congratulations to Her Majesty on his Preservation from mortal Injury; and to assure Her Majesty of the Sympathy of this House in Her Majesty's present Anxiety, and of their earnest Hope for the speedy Recovery of His Royal Highness" (*The Earl of Malmesbury*) *April* 27, 1304
The Queen's Answer reported *May* 1, 1682

Resolved, after short debate, "That an humble Address be presented to Her Majesty, &c." (*Mr. Disraeli*) *April* 27, 1334
Her Majesty's Answer reported *May* 4, 1694

*Education*
*British Museum—South Kensington Museum*, Observations, Mr. Gregory, Mr. Beresford Hope; Reply, Mr. Disraeli *Mar* 27, 388
*Endowed Grammar Schools*, Question, Lord Taunton; Answer, The Duke of Marlborough *May* 5, 1782
*Paris Universal Exhibition*, 1867—*Payments*, Question, Mr. Bayley Potter; Answer, Lord Robert Montagu *Mar* 27, 356
*Scientific Instruction*, Moved, "That a Select Committee be appointed to inquire into the provisions for giving instruction in theoretical and applied Science to the Industrial Classes" (*Mr. Samuelson*) *Mar* 24, 160; after debate, Motion agreed to; List of the Committee, 186
*Scotland—Education Bill*, Question, Admiral Erskine; Answer, The Lord Advocate *May* 8, 2001
*Technical Education—The Whitworth Scholarships*, Question, Mr. Bruce; Answer, Lord Robert Montagu *April* 2, 699; Observations, Earl Granville; Reply, The Duke of Marlborough *April* 3, 820
(See *Army—Military Education*)

**Education Bill** [H.L.] (*The Lord President*)
*l.* Presented; after debate, read 1ª *Mar* 24, 105
Moved, "That the Bill be now read 2ª" (*The Lord President*) *April* 27, 1305
Amendt. to leave out ("now,") and insert ("this Day Three Months") (*The Earl of Airlie*); after debate, Amendt. withdrawn; Bill read 2ª (No. 53)

**Edwards**, Sir H., *Beverley*
Ministerial Statement, 1810

**Ejectments Suspension (Ireland) Bill**
(*Mr. Kennedy, Mr. Serjeant Armstrong*)
*c.* Ordered; read 1°* *April* 20 [Bill 100]

**Elcho**, Lord, *Haddingtonshire*
Army Estimates—Land Forces, 67, 97
Army—Fortifications, Res. 2042, 2049
Established Church (Ireland), Comm. Res. 1, 1643, 1649
Mutiny, Consid. Amendt. 557
Supply—Volunteer Corps, 273, 281, 282
Works, Buildings, &c. 287

**Election Petitions and Corrupt Practices at Elections Bill**
(*Mr. Chancellor of the Exchequer, Mr. Secretary Gathorne Hardy, Sir Stafford Northcote*)
*c.* Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *Mar* 26, 296
Amendt. to leave out from "That," and add "this House, while earnestly desiring to provide the best tribunal for the trial of Controverted Elections, to reduce the cost of such trials, and to ensure the detection and punishment of bribery and corruption, is not prepared to assent to any measure which aims at the destruction of its ancient right and privilege to hold in its own hands the power of determining who are its Members, [*cont.*

*Election Petitions and Corrupt Practices at Elections Bill*—cont.
a right which the House has asserted and exercised to its great advantage for several hundred years, and upon the possession of which the dignity and independence of this House and the constitutional freedom of the electors greatly depend" (*Mr. Alexander Mitchell*); after long debate, Question, "That the words, &c." put, and agreed to; main Question put, and agreed to
Committee—R.P., 321
Question, Mr. J. Stuart Mill; Answer, Mr. Disraeli *April* 2, 702

**Election Petitions and Corrupt Practices at Elections [Salaries, &c.] Bill**
*c.* Considered in Committee; Resolution *Mar* 27
Report *Mar* 30

**Electric Telegraphs Bill**
(*Mr. Chancellor of the Exchequer, Mr. Stephen Cave, Mr. Sclater-Booth*)
*c.* Motion for Leave (*Mr. Chancellor of the Exchequer*) *April* 1, 678
After debate, Bill ordered; read 1° [Bill 82]
Question, Mr. Ayrton; Answer, The Chancellor of the Exchequer *April* 2, 706

**Ellenborough**, Earl of
Parliament—Business of the House, Report, 565
Poor Relief, Comm. 457, 464

**Enfield**, Viscount, *Middlesex*
Sanitary Improvements, Rates for, 258

**Entail Amendment (Scotland) Bill**
(*The Lord Advocate, Sir James Fergusson, Mr. Secretary Gathorne Hardy*)
*c.* Ordered; read 1°* *April* 3 [Bill 86]

**Erskine**, Vice-Admiral J. E., *Stirlingshire*
Mauritius—The 86th Regiment, 1461
Scotland—Education, 2001

**Esmonde**, Mr. J., *Waterford Co.*
Petit Juries (Ireland), 263
Representation of the People (Ireland), 2R. 1958

*Established Church* (*Ireland*)
Commons—
Notice of Resolutions, Observations, Mr. Gladstone; Reply, Mr. Disraeli *Mar* 23, 33
Notice of Amendment (*Lord Stanley*) *Mar* 27, 356
Acts read:—
Moved, "That this House will immediately resolve itself into a Committee to consider the said Acts" (*Mr. Gladstone*) *Mar* 30, 469
Amendt. to leave out from "House," and add "while admitting that considerable modifications in the Temporalities of the United Church in Ireland may, after the pending inquiry, appear to be expedient, is of opinion that any proposition tending to the disestab- [*cont.*

*Established Church (Ireland)*—cont.
lishment or disendowment of that Church ought to be reserved for the decision of a new Parliament" (*Lord Stanley*) *Mar* 30, 495; Question, "That the words, &c.;" after long debate, Debate adjourned
Debate resumed *Mar* 31, 575; after long debate, Debate further adjourned till Thursday
*The Approaching Division*, Questions, Mr. Yorke, Viscount Cranborne; Answers, Lord Stanley, Mr. Speaker *April* 2, 706
*Maynooth Grant*, Question, Mr. Whalley; Answer, Mr. Gladstone *April* 2, 708; Observations, Mr. Whalley *April* 3, 836
Debate resumed *April* 2, 790; after long debate, Debate further adjourned
*Regium Donum*, Question, Mr. Vance; Answer, Mr. Gladstone *April* 3, 835
Debate resumed *April* 3, 837; after long debate, Question put; A. 330, N. 270; M. 60
Division List, Ayes and Noes, 941
Main Question put; A. 328, N. 272; M. 56

Acts considered in Committee
Question proposed, "That it is necessary that the Established Church of Ireland should cease to exist as an Establishment, due regard being had to all personal interests and to all individual rights of property" (*Mr. Gladstone*)
Committee—R.P.

Acts considered in Committee *April* 27, 1338
Question again proposed
Amendt. to leave out from first word "That," and add "so long as the Union between Great Britain and Ireland continues to exist, it is just and consistent that the principle of the Established Church should be maintained in Ireland, and its endowment on a scale suitable to the wants of the population" (*Sir Frederick Heygate*); Question, "That the words, &c.;" after long debate, Committee—R.P.
Question, Mr. Verner; Answer, Mr. Disraeli *April* 28, 1462

Acts considered in Committee *April* 28, 1466
Question again proposed; after long debate, Committee—R.P.
Acts considered in Committee *April* 30, 1583
Question again proposed; after long debate, Amendt. withdrawn; main Question put; Comm. divided; A. 330, N. 265, M. 65
Division List, Ayes and Noes, 1675; Committee—R.P.
Moved, "That the House, at rising, do adjourn till Monday next" (*Mr. Disraeli*), 1679; after short debate, Motion agreed to

*Ministerial Statement—Defeat of the Government on the Irish Church Resolutions*, Observations, Mr. Disraeli *May* 4, 1694; debate thereon
Moved, "That this House do now adjourn" (*Mr. Conolly*); after long debate, Motion withdrawn
Question, Mr. Gladstone; Answer, Mr. Disraeli *May* 5, 1787
Moved, "That this House do now adjourn" (*Mr. Gladstone*); after debate, Motion withdrawn
*Meeting at St. James's Hall*, Question, Mr. Verner *May* 7, 1886

[*cont.*

*Established Church (Ireland)*—cont.
Acts considered in Committee *May* 7, 1886
(2.) Moved, That, subject to the foregoing considerations, it is expedient to prevent the creation of new personal interests by the exercise of any public patronage, and to confine the operations of the Ecclesiastical Commissioners of Ireland to objects of immediate necessity, or such as involve individual rights, pending the final decision of Parliament" (*Mr. Gladstone*); after short debate, Question put, and agreed to
(3.) Moved, "That an humble Address be presented to Her Majesty, humbly to pray that, with a view to preventing, by legislation during the present Session, the creation of new personal interests through the exercise of any public patronage, Her Majesty would be graciously pleased to place at the disposal of Parliament, Her interest in the temporalities of the Archbishoprics, Bishoprics, and other Ecclesiastical Dignities and Benefices in Ireland, and in the custody thereof" (*Mr. Gladstone*), 1898; after short debate, Question put, and agreed to
Moved, "That when the Anglican Church in Ireland is disestablished and disendowed, it is right and necessary that the Grant to Maynooth and the Regium Donum be discontinued; and that no part of the secularized funds of the Anglican Church, or any State funds whatever, be applied in any way, or under any form, to the endowment or furtherance of the Roman Catholic religion in Ireland, or to the establishment or maintenance of Roman Catholic denominational schools or colleges" (*Mr. Sinclair Aytoun*), 1902
After debate, Amendt. to leave out from the first word "That," and add "when legislative effect shall have been given to the First Resolution of this Committee respecting the Established Church of Ireland, it is right and necessary that the Grant to Maynooth and the Regium Donum be discontinued" (*Mr. Whitbread*), 1923; after short debate, Question, "That the words, &c.;" Comm. divided; A. 85, N. 198; M. 113
Question, "That the words 'when legislative effect,' &c.;" be added *May* 7, 1925
Amendt. proposed to said proposed Amendt. by adding the words "due regard being had to all personal interests" (*Mr. Gladstone*), 1926; after short debate, Question, "That those words be there added," put, and agreed to
Amendt. proposed to the said proposed Amendt. as amended, by adding the words, "And that no part of the Endowments of the Anglican Church be applied to the Endowment of the institutions of other religious communions" (*Mr. Greene*), 1931
Question, "That those words be added, &c.;" after short debate, Moved to report Progress (*Mr. Whalley*); Motion withdrawn; Question put, A. 97, N. 132; M. 35
Question, "That the words 'when legislative effect,' &c.;" put, and agreed to
Moved, "That the Chairman report the Resolutions to the House" (*Mr. Gladstone*), 1941; after short debate, Resolutions reported and agreed to

*Established Church* (*Ireland*)
Resolved, "That an humble Address be presented to Her Majesty, humbly to pray that, with a view to preventing, by legislation during the present Session, the creation of new personal interests through the exercise of any public patronage, Her Majesty would be graciously pleased to place at the disposal of Parliament, Her interest in the temporalities of the Archbishoprics, Bishoprics, and other Ecclesiastical Dignities and Benefices in Ireland, and in the custody thereof" (*Mr. Gladstone*) *May* 7, 1949

Lords—
*The Resolutions*, Notice (*The Earl of Derby*) *April* 27, 1303; Question, The Earl of Derby; Answer, Earl Russell *April* 28, 1425
*Ministerial Statement—Defeat of the Government in the Commons*, Observations, The Earl of Malmesbury *May* 4, 1686; short debate thereon

Ewing, Mr. H. E. Crum- *Paisley*
Burials (Ireland), 2R. 1083
Canongate Annuity Tax, 2R. 1091

Exchequer, Chancellor of the, *see* Chancellor of the Exchequer

Exeter, Marquess of
Marine Mutiny, 2R. 687

Eykyn, Mr. R., *Windsor*
Ireland — Murder of Mr. Featherstonhaugh, 1459

**Fairs (Ireland) Bill** (*The Lord Clinton*)
*l.* Read 2ª * *Mar* 24 (No. 47)
Committee *; Report *Mar* 26
Read 3ª * *Mar* 27
Royal Assent *Mar* 30 [31 *Vict.* c. 11]

Fawcett, Mr. H., *Brighton*
Abyssinian Expedition—Estimates, 703, 1148
Artizans' and Labourers' Dwellings, 3R. 2061
Established Church (Ireland), Comm. Res. 1913, 1925
India—East India Civil Service, Res. 1838, 1851, 1859
Systems of Government, 422
Supply—Royal Palaces, 1006; Amendt. 1007, 1009, 1010
Ways and Means—Financial Statement, 1186

Fergusson, Sir J. (Under Secretary of State for the Home Department), *Ayrshire*
Artizans' and Labourers' Dwellings, Comm. *cl.* 27, 677; 3R. 2061
Colliers in the Wigan District, Strike of, 1224
Established Church (Ireland), Comm. Res. 1910, 1934
Municipal Corporations (Metropolis), Leave, 1863
Sanitary Improvements, Rates for, 259

Feversham, Lord
Ministerial Statement, 1691

Fitzgerald, Lord O. A., *Kildare Co.*
Mutiny, Comm. *cl.* 67, Amendt. 325
Thames River, Obstructions in the, 1577

Forde, Colonel W. B., *Downshire*
Ireland—Case of Mr. Johnston, 469

Forster, Mr. C., *Walsall*
Divorce and Matrimonial Causes Court, 2R. 1873

Forster, Mr. W. E., *Bradford*
Carriage of Parcels by Railway, 1333, 1334
County Financial Boards, 2R. 1553

Fortescue, Right Hon. Chichester S., *Louth Co.*
Industrial Schools (Ireland), Comm. *cl.* 11, 222
Representation of the People (Ireland), 2R. 1949

French, Rt. Hon. Colonel F., *Roscommon Co.*
Grand Jury Cess (Ireland), 2R. 213
Ireland—River Shannon, 357;—Stake Nets on the, 467
Parliament—Conference Room, 1148
Peerage (Ireland), 2R. Amendt. 1563
Post Office—Case of A. J. Duffy, Motion for a Committee, 1298
Representation of the People (Ireland), 2R. 1951
Sunday Trading, 2R. 1085
Supply—British Embassy Houses, 993, 995
Harbours of Refuge, 1001
Royal Palaces, 1013
Supply—Proceedings in—Resolution, 1032

Freshfield, Mr. C. K., *Dover*
Sunday Trading, 2R. 1084, 1085

**Friendly Societies Bill** [H.L.] (*The Earl of Lichfield*)
*l.* After short debate, 2R. deferred *May* 1, 1685
Moved, "That the Bill be now read 2ª" (*The Earl of Lichfield*) *May* 5, 1775; Bill read 2ª, after short debate (No. 43)

Gallwey, Sir W. P., *Thirsk*
County Financial Boards, 2R. 1556, 1694
Supply—Enrolled Pensioners, &c. 284

Galway, Viscount, *Retford* (*East*)
Established Church (Ireland), Comm. Res. 1, 1660
Parliament—Business of the House, 1681

*Garter King at Arms*
Question, Mr. Alderman Lusk; Answer, Mr. Sclater-Booth *Mar* 23, 39

GASELEE, Mr. Serjeant S., *Portsmouth*
Army—Fortifications, Res. 2034, 2038
Artizans' and Labourers' Dwellings, Comm. *cl.* 6, 672
Boundary, 146; 2R. Motion for Adjournment, 1014
Ceylon—Condition of, Motion for Committee, 982
County Financial Boards, 2R. 1557, 1558, 1559
Election Petitions and Corrupt Practices at, Elections, Comm. 311
Established Church (Ireland), Comm. Res. 1907
Navy—Flogging on Board the "Favourite," 35
Supply—British Embassy Houses, 989, 997
Mission House, Teheran, 999
Royal Palaces, 1007, 1009, 1013

GIBSON, Right Hon. T. M., *Ashton-under-Lyne*
Electric Telegraphs, Leave, 682
Libel, 2R. 668
Pilotage, Compulsory, Res. 381, 382, 384

GILPIN, Colonel R. T., *Bedfordshire*
Army Estimates—Land Forces, 68

GILPIN, Mr. C., *Northampton*
Capital Punishment within Prisons, Comm. Amendt. 1033
Established Church (Ireland), Comm. 1365

GLADSTONE, Right Hon. W. E., *Lancashire, S.*
Commissions, Permanent Expenses of, Res. 1291
Compulsory Church Rates Abolition, 40; 3R. 101
Edinburgh, Duke of, Address to Her Majesty, 1336
Established Church (Ireland), Motion of Resolutions, 32, 35
Established Church (Ireland), 356; Comm. 470, 500, 709, 750, 797, 924, 1364, 1379, 1418, 1423, 1463; Res. 1, 1650, 1660, 1679; Res. 2, 1886; Res. 3, 1898, 1901, 1914, 1916; Amendt. 1925, 1930, 1932, 1933, 1938; Motion for Adjournment, 1941, 1944
Ireland—Questions, &c.
Presbytery of Antrim, 1581
Regium Donum, The, 835
Licences, Res. 157
Ministerial Statement, 827, 1706, 1707, 1708, 1745; Motion for Adjournment, 1787, 1818, 1819
Parliament—Arrangement of Business, 263, 264, 1679, 1680
Representation of the People (Scotland), 2004
Roman Catholic Oath, 1582
Supply—Proceedings in—Resolution, 1465
Ways and Means—Financial Statement, 1166, 1169, 1173, 1190; Comm. Res. 1, 1746, 1753, 1772

GOLDNEY, Mr. G., *Chippenham*
Artizans' and Labourers' Dwellings, Comm. *cl.* 6, 672, 1064; *add. cl.* 1066; Consid. *cl.* 4, Amendt. 1876
Commissions, Permanent Expenses of, Res. 1280, 1295

[*cont.*

GOLDNEY, Mr. G.—*cont.*
Supply—Mission House, Teheran, 999
Royal Palaces, 1005, 1012
Supply—Proceedings in—Resolution, 1032, 1466
Turnpike Trusts, Motion for an Address, 2015

GOLDSMID, Sir F. H., *Reading*
Artizans' and Labourers' Dwellings, Comm. *cl.* 6, 674; *cl.* 27, 676; Motion for Adjournment, 1063, 1064; *add. cl.* 1065, 1066; Consid. *add. cl.* 1564
Crete—Insurrection in, Motion for an Address, 1236

GOLDSMID, Mr. J., *Honiton*
Ministerial Statement, 1809

GORDON, Right Hon. E. S., *see* ADVOCATE, The Lord

GORST, Mr. J. E., *Cambridge Bo.*
Capital Punishment within Prisons, Comm. *cl.* 4, 1059
Ceylon—Condition of, Motion for a Committee, 978
Established Church (Ireland), Comm. 1340

GOSCHEN, Right Hon. G. J., *London*
Army—Fortifications, Res. 2054
Artizans' and Labourers' Dwellings, Comm. Schedule, 1066; Consid. 1568; Schedule, 1877
Commissions, Permanent Expenses of, Res. 1295
Established Church (Ireland), Comm. 599, 603
India—Bank of Bombay, 2059
London Coal and Wine Duties Continuance, Comm. 199; *cl.* 2, 204; *add. cl.* 205; Consid. *add. cl.* 327
Ways and Means, Comm. Res. 1, 1758

**Government of India Act Amendment Bill** (*Sir S. Northcote, Sir J. Fergusson*)
*c.* Motion for Leave (*Sir Stafford Northcote*) *April* 23, 1201
Bill ordered; read 1° [Bill 91]

**Governor General of India Bill** (*Sir Stafford Northcote, Sir James Fergusson*)
*c.* Ordered; read 1° * *April* 23 [Bill 92]

GRAHAM, Mr. W., *Glasgow*
Sunday Trading, 2R. Amendt. 1085

**Grand Jury Cess (Ireland) Bill** (*Mr. Stacpoole, Mr. Corbally, The O'Conor Don*)
*c.* Moved, "That the Bill be now read 2°" (*Mr. Stacpoole*) *Mar* 25, 209 [Bill 14]
Amendt. to leave out "now," and add "upon this day six months" (*The Earl of Mayo*); after debate, Question, "That 'now,' &c.;" A. 57, N. 70; M. 13; words added; 2R. put off for six months

*Grand Jury Presentments* (*Ireland*)
  Moved, "That the Select Committee on Grand Jury Presentments do consist of Nineteen Members (*Mr. Vance*) *Mar* 23, 101; after debate, Motion and original Question withdrawn
  Moved, "That the Select Committee on Grand Jury Presentments do consist of Nineteen Members" (*Mr. Vance*) *Mar* 25, 238; after short debate, Motion withdrawn

Grant, Mr. A., *Kidderminster*
  Belgium, Riots in, 837

Granville, Earl
  Ecclesiastical Titles in Great Britain and Ireland, Motion for a Committee, 248
  Education, 1R. 129, 137; 2R. 1321
  Education, Technical — Whitworth Scholarships, 820
  Established Church (Ireland)—The Resolutions, 1434, 1443, 1446
  Parliament—Business of the House, Res. 692, 694

Graves, Mr. S. R., *Liverpool*
  Artizans' and Labourers' Dwellings, Comm. *cl.* 14, 675; *cl.* 27, 676; *cl.* 35, 678
  Customs Officers, Grievances of, 1555
  Merchant Shipping Consolidation, 699
  Ministerial Statement, 1803
  Passenger Acts, 1574
  Pilotage, Compulsory, Res. 386
  Postal—West India Mails, 1222
  Supply—Harbours of Refuge, 1000, 1001

Gray, Sir J., *Kilkenny Bo.*
  Established Church (Ireland), Comm. 757
  Grand Jury Cess (Ireland), 2R. 214
  Grand Jury Presentments (Ireland), Nomination of Committee, Motion for Adjournment, 101
  Ireland—Imprisonment of Messrs. Sullivan and Pigott, 445, 446
  Representation of the People (Ireland), 2R. 1960

Greene, Mr. E., *Bury St. Edmunds*
  Artizans' and Labourers' Dwellings, Comm. *cl.* 6, 674; Consid. 1568
  Burials (Ireland), 2R. 1074
  Colliery Accidents, 1464
  Established Church (Ireland), Comm. Res. Amendt. 1931, 1940
  Licences, Res. 159
  Metropolis Gas, 2R. 798
  Supply—Mission House, Teheran, 999
  Ways and Means—Financial Statement, 1182

Gregory, Mr. W. H., *Galway Co.*
  British Museum, 388, 405
  Capital Punishment within Prisons, Comm. 1041
  Crete—Insurrection in, Motion for an Address, 1236
  India—Furloughs, 1576
  Ireland—Cattle Plague, 1784
    Deaths from Small Pox, 1784
  Wilson, Rev. Mr., Explanation, 264

Greville-Nugent, Colonel F. S., *Longford Co.*
  Established Church (Ireland), Comm. 881
  Parliament—Members' Seats in this House, 697
  Representation of the People (Ireland), 2R. 1957

Grey, Earl
  Bankruptcy Acts Repeal, Comm. 1220
  Compulsory Church Rates Abolition, 2R. 1132
  Crete—Insurrection in, Motion for an Address, 819
  Ecclesiastical Titles in Great Britain and Ireland, Motion for a Committee, 251
  Marine Mutiny, 2R. 686, 687
  Ministerial Statement, 1687, 1688
  Plate, River, Hostilities in the, 456
  Poor Relief, Comm. 464
  Victoria—Appropriation Act, 1995

Grey, Right Hon. Sir G., *Morpeth*
  Army—Fortifications, Res. 2052
  Established Church (Ireland), Comm. Res. 1913, 1934

Griffith, Mr. C. Darby, *Devizes*
  Army—Military Prisons, 38
  Boundary Commission, 146
  Capital Punishment within Prisons, Comm. *cl.* 3, 1055, 1057; *cl.* 4, 1059, 1061; *cl.* 6, 1062
  County Financial Boards, 2R. 1557
  Crete—Insurrection in, Motion for an Address, 1268
  Debates in the House of Lords, 1786
  Established Church (Ireland), Comm. Res. 3, 1900, 1926, 1937
  Marine Mutiny, 2R. 99
  Member for Thetford—Titles of Dignity, 831
  Ministerial Statement, 1729, 1818
  Mutiny, 2R. 238; Comm. *cl.* 32, Amendt. 325
  Supply—Volunteer Corps, 269, 284
  Ways and Means—Financial Statement, 1189; Comm. Res. 2, Amendt. 1773

Grosvenor, Hon. Capt. R. W., *Westminster*
  Established Church (Ireland), Comm. 1350

Gurney, Rt. Hon. Russell, *Southampton*
  Capital Punishment within Prisons, Comm. *cl.* 3, 1057

Hadfield, Mr. G., *Sheffield*
  Burials (Ireland), 2R. 1081
  Charitable Institutions, Taxation of, 1693
  Middlesex Registry Office, 1147
  Religious, &c. Building (Sites), 2R. 662

Halifax, Viscount
  Established Church (Ireland)—The Resolutions, 1451, 1453
  Parliament—Business of the House, Res. 691, 695
  Public Offices, The New, 104
  Railways Regulation — The Parcels Clause, 1425

Hamilton, Right Hon. Lord C. (Vice Chamberlain of the Household), *Tyrone Co.*
Established Church (Ireland), Comm. Res. 1, 1614
Grand Jury Cess (Ireland), 2R. 215
Industrial Schools (Ireland), Comm. 219
Sunday Trading, 2R. 1086

Hamilton, Lord C. J., *Londonderry City*
Established Church (Ireland), Comm. 767

Hamilton, Viscount, *Donegal Co.*
Established Church (Ireland), Comm. 886

Hankey, Mr. T., *Peterborough*
Army—Cooking Apparatus, 257, 468
Tancred's Charity, 2R. 232
Ways and Means, Comm. Res. 2, 1774

Hanmer, Sir J., *Flint, &c.*
Private Bill Legislation, 353, 356

Hardcastle, Mr. J. A., *Bury St. Edmunds*
Thames, River—Obstructions in the, 1577
Turnpike Trusts, Motion for an Address, 2021

Hardinge, Viscount
Marine Mutiny, 2R. 685

Hardwicke, Earl of
Compulsory Church Rates Abolition, 2R. 1140
Established Church (Ireland)—The Resolutions, 1449

Hardy, Right Hon. G. (Secretary of State for the Home Department), *Oxford University*
Artizans' and Labourers' Dwellings, Comm. *cl.* 6, 673; *cl.* 8, 675
Barrett, The Convict, 1579
Boroughs and Divisions of Counties, Leave, 196
Boundary, 706; 2R. 1014, 1786
Capital Punishment within Prisons, Comm. *cl.* 3, 1057; *cl.* 4, 1059, 1060; *cl.* 6, 1062
County Financial Boards, 2R. 1548, 1558, 1559, 1694
Devizes Gaol, 1455
Ecclesiastical Commissioners Orders in Council, 2R. 327; Comm. 1194, 1200
Established Church (Ireland), Comm. Motion for Adjournment, 556, 575, 850, 1398; Res. 2, 1894
Metropolis—Deptford Creek Outfalls, 357
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Peerage (Ireland), 2R. 1564
Stone, Police Sergeant, Case of, 702
Sunday Trading, 2R. 1086
Surrey Constabulary, Dismissal of an Inspector of the, 571
Turnpike Trusts, 834, 1462; Motion for an Address, 2018
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Hardy, Mr. J., *Dartmouth*
Established Church (Ireland), Comm. Res. 1919

Harrowby, Earl of
Education, 1R. 137; 2R. 1313
Established Church (Ireland)—The Resolutions, 1453
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Hartington, Right Hon. Marquess of, *Lancashire, N.*
Army Estimates—Land Forces, 61
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Established Church (Ireland), Comm. Res. 1, 1504, 1514
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Supply—Enrolled Pensioners, &c. 284, 285
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Hay, Lord W. M., *Taunton*
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Metcalfe, Sir T. J., Case of, Motion for a Committee, 1273
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Hay, Rear Admiral Sir J. C. D. (Lord of the Admiralty), *Stamford*
Army—Fortifications, Res. 2028, 2033, 2035
Established Church (Ireland), Comm. 1423; Res. 1, 1623

Hayter, Mr. A. D., *Wells*
Army—Ball Cartridges, 2002

Headlam, Right Hon. T. E., *Newcastle-upon-Tyne*
Boundary, 2R. 1014
Divorce and Matrimonial Causes Court, 2R. 1874
Mutiny, Comm. *cl.* 22, 323
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Heathcote, Sir W., *Oxford University*
Established Church (Ireland), Comm. Res. 1, 1598

Henley, Lord, *Northampton*
County Financial Boards, 2R. 1547
Tancred's Charity, 2R. 233
Turnpike Trusts, Motion for an Address, 2014

Henley, Right Hon. J. W., *Oxfordshire*
Artizans' and Labourers' Dwellings, Comm. *cl.* 6, 672; *cl.* 27, 676; Consid. 1569
Burials (Ireland), 2R. 1081
Compulsory Church Rates Abolition, 3R. 206
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Election Petitions and Corrupt Practices at Elections, Comm. 319
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**Herbert**, Right Hon. Major General Percy E. (Treasurer of the Household), *Shropshire, S.*
Army Estimates—Land Forces, 84, 92
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**Herbert**, Mr. H. A., *Kerry Co.*
Established Church (Ireland), Comm. Res. 1940

**Heygate**, Sir F. W., *Londonderry Co.*
Established Church (Ireland), Comm. Amendt. 1345; Res. 1, 1675; Res. 2R. 1897

**Hibbert**, Mr. J. T., *Oldham*
Artizans' and Labourers' Dwellings, Comm. *cl.* 28, Amendt. 677, 678
Boundary, 1786
Capital Punishment within Prisons, Comm. *cl.* 3, 1056; *cl.* 4, 1059, 1061
Established Church (Ireland), Comm. Res. 1939

**Hogg**, Colonel J. M., *Bath*
Artizans' and Labourers' Dwellings, 3R. 2061
Established Church (Ireland), Comm. Res. 1, 1501
London Coal and Wine Duties Continuance, Comm. 200; *cl.* 2, 202, 204

**Holland**, Mr. E., *Evesham*
Rule of the Road at Sea, 475

**Hope**, Mr. A. J. Beresford, *Cambridge University*
British Museum, 396
Established Church (Ireland), Comm. 852
Tancred's Charity, 2R. 224

**Horsfall**, Mr. T. B., *Liverpool*
Established Church (Ireland), Comm. 748, 750
Foreign Cattle, Importation of, 1149
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**Horsman**, Right Hon. E., *Stroud*
Brazil—War in, 359
Established Church (Ireland), Comm. 1393, 1398, 1400; Res. 1931
Ministerial Statement, 829, 1807

**Hotham**, Lord, *Yorkshire, E.R.*
Private Bill Legislation—Standing Order 131 Repeal, 145

**Houghton**, Lord
Capital Punishment within Prisons, 2R. 1879

**Hubbard**, Mr. J. G., *Buckingham*
Burials (Ireland), 2R. 1082, 1083
Ways and Means—Financial Statement, 1179

**Hughes**, Mr. T., *Lambeth*
Sunday Trading, 2R. 1084

**Hunt**, Right Hon. G. W., *see* Chancellor of the Exchequer

**Hurst**, Mr. R. H., *Horsham*
Victoria—Case of the Convict Millar, 1576

**Hutt**, Right Hon. Sir W., *Gateshead*
Railway and Joint Stock Companies Accounts, 2R. 1535
Railways, Revision of, 35

**Inclosure Bill**
(*Sir J. Fergusson, Mr. Secretary G. Hardy*)
*c.* Read 2°* *Mar* 23 [Bill 73]
Committee*; Report *Mar* 26
Read 3°* *Mar* 31
*l.* Read 1ª* (*The Lord Clinton*) *Mar* 31 (No. 61)
Read 2ª* *April* 2
Committee*; Report *April* 3
Read 3ª* *April* 23
Royal Assent *May* 29 [31 *Vict.* c. 31]

*India*
*Bank of Bombay*, Question, Sir Henry Rawlinson; Answer, Sir Stafford Northcote *Mar* 24, 147; Question, Mr. Dyce Nicol; Answer, Sir Stafford Northcote *Mar* 27, 426; debate thereon; Questions, Lord William Hay; Answers, Sir Stafford Northcote *April* 24, 1223; Question, Mr. Ayrton; Answer, Sir Stafford Northcote *May* 8, 2055
*Bonus Committee, The — Officers of the Late Company's Army*, Question, Mr. Bruen; Answer, Sir Stafford Northcote *Mar* 26, 261
*Civilian Judges (Bombay)*, Question, Sir Robert Collier; Answer, Sir Stafford Northcote *April* 28, 1460
*Contract Law—Reports of Indian Law Commissioners*, Question, Mr. Kinnaird; Answer, Sir Stafford Northcote *Mar* 24, 147
*Field Officers of the Indian Army, Retirement of*, Question, Mr. Dimsdale; Answer, Sir Stafford Northcote *April* 3, 830
*Furloughs*, Question, Mr. Gregory; Answer, Sir Stafford Northcote *April* 30, 1576
*Hyderabad—Political Section, Administrative Report*, Question, Mr. Stacpoole; Answer, Sir Stafford Northcote *April* 23, 1148
*Irrigation*, Postponement of Motion (*Mr. Kinnaird*) *Mar* 31, 575
*Irrigation of Public Lands*, Amendt. on Committee of Supply *April* 20, To leave out from "That," and add "in the opinion of this House, the advance of £600,000 of public money on loan to a private company of adventurers styling themselves the Madras Irrigation Company, granted on the 15th day of May 1866 for their sole benefit, and likewise the offer of a large loan on similar terms announced by the Secretary of State on the 20th day of February last as contemplated to be given to the East India Irrigation and Canal Company, are acts of impropriety, are mischievous in policy, and should be discontinued (*Mr. Smollett*), 946; Question, "That the words, &c.;" after short debate, Amendt. withdrawn
*Madras Irrigation Company*, Observations, Mr. Stansfeld *April* 24, 1298
*Religious Provision for Soldiers in India*, Question, Mr. O'Reilly; Answer, Sir Stafford Northcote *Mar* 26, 262

[*cont.*

*India*—cont.
- *Systems of Government in*, Observations, Lord William Hay, Mr. Smollett, Mr. Fawcett *Mar* 27, 405
- *Telegraphic Communication with*, Question, Mr. Dyce Nicol; Answer, Mr. Corry *April* 28, 1458

**Indian Railway Companies Bill**
(*Sir Stafford Northcote, Mr. Sclater-Booth*)
*c.* Read 2° * *Mar* 23 [Bill 55]
Committee *; Report *Mar* 24
Read 3° * *Mar* 26
*l.* Read 1ª * (*The Lord Clinton*) *Mar* 27 (No. 57)
Read 2ª * *Mar* 30
Committee * *Mar* 31 (No. 63)
Report * *April* 2
Read 3ª * *April* 3
Royal Assent *May* 29 [21 *Vict.* c. 26]

**Industrial Schools (Ireland) Bill**
(*The O'Conor Don, Mr. Monsell, Mr. Leader*)
*c.* Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" (*The O'Conor Don*) *Mar* 25, 217
Amendt. to leave out from "That," and add "this House will, upon this day six months, resolve itself into the said Committee" (*Mr. Vance*); after short debate, Question, "That the words, &c.;" A. 82, N. 46; M. 36; main Question put, and agreed to; Committee—R.P. [Bill 6]
Committee *; Report *April* 1
Considered as amended * *April* 2
Read 3° * *April* 3
*l.* Read 1ª * (*The Earl of Kimberley*) *April* 23 (No. 69)
Read 2ª * *May* 7

*Industrial Schools* (*Ireland*) [*Expenses*]
*c.* Considered in Committee; Resolution *Mar* 27
Report *Mar* 30

*Infectious Diseases*
Amendt. on Committee of Supply *May* 8, To leave out from "That," and add "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to cause such inquiry to be instituted into the spread of disease by infection (distinguished from contagion) as may tend to check legislation and action in cases unsupported by the evidence, which in times of excitement saves a people from the commission of great crimes or great follies" (*Sir Jervoise Clarke Jervoise*), 2005; Question, "That the words, &c.;" after short debate, Amendt. withdrawn

INNES, Mr. A. C., *Newry*
Established Church (Ireland), Comm. Res. 1, 1611

**Investment of Trust Funds Act Amendment Bill**
(*Mr. Henry B. Sheridan, Mr. Ayrton*)
*c.* Ordered * *Mar* 24

*Ireland*
- *Ardfert Tower—Kerry Grand Jury*, Question, The O'Donoghue; Answer, The Attorney General for Ireland *Mar* 25, 208
- *Bankruptcy* (*Ireland*), Question, Mr. Serjeant Armstrong; Answer, The Attorney General for Ireland *April* 3, 830
- *Cattle Plague*, Question, Mr. Gregory; Answer, The Earl of Mayo *May* 5, 1784
- *Downy, Mr. J., Arrest of*, Question, Mr. Rearden; Answer, The Earl of Mayo *April* 3, 833
- *Grand Jury Presentments*, Moved, "That the Select Committee on Grand Jury Presentments do consist of Nineteen Members" (*Mr. Vance*) *Mar* 23, 101; after debate, Motion and original Question withdrawn
  Moved, "That the Select Committee on Grand Jury Presentments do consist of Nineteen Members" (*Mr. Vance*) *Mar* 25, 238; after short debate, Motion withdrawn
- *Habeas Corpus Act—Release of Prisoners*, Question, Mr. Bagwell; Answer, The Earl of Mayo *May* 5, 1784
- *Land Question*, Question, Mr. Pim; Answer, The Earl of Mayo *April* 28, 1459
- *Local Government Acts*, Question, Mr. Pim; Answer, The Earl of Mayo *Mar* 26, 256; *April* 28, 1457
- *Presbytery of Antrim*, Questions, Sir Charles Lanyon, Sir Thomas Bateson; Answers, Mr. Gladstone *April* 30, 1581
- *Prisoners Convicted of Seditious Libel—Treatment of Messrs. Sullivan and Pigott*, Question, Mr. Stock; Answer, The Earl of Mayo *Mar* 26, 259; Question, Mr. Maguire; Answer, The Earl of Mayo *Mar* 27, 439; debate thereon
- *Railway Commission, Report of*, Question, Mr. Monsell; Answer, The Earl of Mayo *April* 28, 1463
- *River Shannon—Fish Passes*, Question, Colonel French; Answer, The Earl of Mayo *Mar* 27, 357—*Stake Nets*, Question, Colonel French; Answer, The Earl of Mayo *Mar* 30, 467
- *Searching Suspicious Persons*, Question, Mr. Blake; Answer, The Earl of Mayo *Mar* 30, 468
- *Small-pox, Deaths from—The Vaccination Act*, Question, Mr. Gregory; Answer, The Earl of Mayo *May* 5, 1784
- *Spirit Licences, Duty on*, Question, General Dunne; Answer, Mr. Sclater-Booth *Mar* 23, 38
- *State of Ireland, The Debate on—Wilson, The Rev. Mr.*, Personal Explanation, Mr. Gregory *Mar* 26, 264
- See *Established Church* (*Ireland*)—*State of Ireland*—Resolution (*Mr. Maguire*)

JERVOISE, Sir J. Clarke, *Hampshire, S.*
- Artizans' and Labourers' Dwellings, Comm. *cl.* 6, 673
- Cholera in the Mediterranean, 703
- Infectious Diseases, Motion for an Address, 2005
- Vaccination—Small-pox at Woolwich, 701

**Judgment Debtors Bill** [H.L.]
(*The Lord Chancellor*)
*l.* Read 2ᵃ * *Mar* 23 (Nos. 32-76)
Committee *; Report *April* 24
Bill re-committed

**Jurors' Affirmations (Scotland) Bill**
(*Mr. Craufurd, Mr. Dunlop*)
*c.* Ordered; read 1° * *May* 8 [Bill 110]

Karslake, Sir J. B., *see* Attorney General, The

Karslake, Mr. E. K., *Colchester*
Established Church (Ireland), Comm. 1374
Supply—British Embassy Houses, 985

Kendall, Mr. N., *Cornwall, E.*
County Financial Boards, 2R. 1546
Established Church (Ireland), Comm. Res. 1928
Grand Jury Cess, 2R. 213
Mines Assessment, 2R. 1868
Ministerial Statement, 1741

Kennedy, Mr. T., *Louth Co.*
Crete, Insurrection in, 705

Kimberley, Earl of
Crete, Insurrection in, Motion for an Address, 814
Education, 2R. 1310
Parliament—Business of the House, Res. 695
Poor Relief, Comm. 463

Kinglake, Mr. A. W., *Bridgwater*
Election Petitions and Corrupt Practices at Elections, Comm. 297

Kingston, Earl of
Victoria—Appropriation Act, 2001

Kinnaird, Hon. A. F., *Perth*
Artizans' and Labourers' Dwellings, Consid. 1567
India—Questions, &c.
  Bank of Bombay, 430, 2060
  Contract Law, 147
  Irrigation, 575
  Madras Irrigation Company, 1302
Irrigation of Public Lands, India, Res. 967
Registration of Writs (Scotland), 2R. 100
Representation of the People (Scotland), Comm. 99

Knatchbull-Hugessen, Mr. E. H., *Sandwich*
Turnpike Trusts, Motion for an Address, 2013

Knox, Hon. Colonel W. Stuart, *Dungannon*
Army Estimates—Land Forces, 97
Established Church (Ireland), Comm. 469, 627, 763, 1948
Grand Jury Presentments (Ireland), Nomination of Comm. Amendt. 101
Ministerial Statement, 1807
Representation of the People (Scotland), Comm. 100

Labouchere, Mr. H., *Middlesex*
Artizans' and Labourers' Dwellings, Comm. *cl.* 6, 674; Consid. 1568; 3R. 2061
Licences, Res. 152
London Coal and Wine Duties Continuance, Comm. 197; *cl.* 2, Amendt. 201, 202, 205
Mission House, Teheran, 998, 999
Royal Palaces, 1005, 1007; Amendt. 1008
Stone, Police Sergeant, Case of, 702
Supply—British Embassy Houses, 984, 988, 995

Laing, Mr. S., *Wick, &c.*
Established Church (Ireland), Comm. 541; Res. 1901
Ways and Means, Comm. Res. 1, 1766

Lamont, Mr. J., *Buteshire*
Established Church (Ireland), Comm. Res. 1905; Amendt. 1925
Scotland—Trawling for Herrings, 1882

**Land Writs Registration (Scotland) Bill**
(*The Lord Advocate, Mr. Secretary G. Hardy, Mr. Walpole*)
*c.* Read 2° * *Mar* 23 [Bill 56]
Question, Mr. Childers; Answer, Mr. Sclater-Booth *April* 3, 830

*Land Writs Registration (Scotland)* [*Salaries, &c.*]
*c.* Considered in Committee; Resolution *Mar* 27
Report *Mar* 30

Lanyon, Sir C., *Belfast*
Established Church (Ireland), Comm. 883
Ireland—Presbytery of Antrim, 1581

Lawrence, Mr. Alderman W., *London*
Artizans' and Labourers' Dwellings, Consid. Schedule, 1877
Capital Punishment within Prisons, Comm. *cl.* 4, Amendt. 1061; *cl.* 6, 1062
Post Horse and Carriage Licences Duties, Motion for a Committee, 187, 195

Lawson, Right Hon. J. A., *Portarlington*
Established Church (Ireland), Comm. 551

Layard, Mr. A. H., *Southwark*
Abyssinian Expedition, 1337
Crete—Condition of, 1149
  Insurrection in, Motion for an Address, 1253
Royal Academy, The, 1580

Leatham, Mr. E. A., *Huddersfield*
Established Church (Ireland), Comm. 507

Leatham, Mr. W. H., *Wakefield*
Mines Assessment, 2R. 1871

LEEMAN, Mr. G., *York City*
Artizans' and Labourers' Dwellings, Comm. *cl.* 6, 672 ; *cl.* 8, 675
Capital Punishment within Prisons, Comm. 1041
Ecclesiastical Commissioners Orders in Council, 1200
Private Bill Legislation—Standing Order 131 Repeal, 141

LEFEVRE, Mr. G. J. Shaw, *Reading*
Married Women's Property, Leave, 1015
Tancred's Charity, 2R. Amendt. 229, 231

LEFROY, Mr. A., *Dublin University*
Burials (Ireland), 2R. 1071
Established Church (Ireland), Comm. 754 ; Res. 3, 1899

**Legitimacy Declaration (Ireland) Bill** [H.L.] (*The Marquess of Clanricarde*)
*l.* Read 2ª* *Mar* 26 (No. 27)
Committee * ; Report *Mar* 27
Read 3ª* *Mar* 30
*c.* Read 1º* *April* 3 [Bill 87]
Read 2º* *April* 21
Committee * ; Report *April* 22
Considered as amended* *April* 23
Read 3º* *April* 24
Royal Assent *May* 29 [31 *Vict.* c. 20]

LENNOX, Lord H. G. C. G. (Secretary to the Admiralty), *Chichester*
Marine Mutiny, Comm. 559 ; Consid. 574
Navy—Coal for the, 1575
School and Training Ships, 1786
Navy Estimates, 148

LEWIS, Mr. Harvey, *Marylebone*
Artizans' and Labourers' Dwellings, Comm. *cl.* 6, 672, 673 ; *add. cl.* 1064 ; Schedule, 1067 ; Consid. 1565, 1566, 1569 ; Schedule, 1877 ; 3R. 2062

**Libel Bill** (*Sir Colman O'Loghlen, Mr. Baines*)
*c.* Moved, "That the Bill be now read 2º" (*Sir Colman O'Loghlen*) *April* 1, 664 ; after debate, Bill read 2º

*Licences*
Moved, "That, in the opinion of this House, it is desirable that all Licences injuriously affecting the Industry and Commerce of the Country should be abolished" (*Mr. Marsh*) *Mar* 24, 148 ; after debate, Motion withdrawn

*Licences Duties, Post Horse and Carriage, and Hackney Carriage Duties*
Moved, "That this House will immediately resolve itself into a Committee to consider the Acts relating thereto" (*Mr. Alderman Lawrence*) *Mar* 24, 187 ; after short debate, Motion withdrawn

LICHFIELD, Earl of
Friendly Societies, 2R. 1685, 1775
Riots in Lancashire, 1221

LIDDELL, Hon. H. G., *Northumberland, S.*
Infectious Diseases, Motion for an Address, 2008
Ministerial Statement, 1816
Ways and Means—Financial Statement, 1186

LINCOLN, Bishop of
Education, 2R. 1320

LINDSAY, Hon. Colonel C. H., *Abingdon*
Supply—Volunteer Corps, 270

LLOYD, Sir T. D., *Cardiganshire*
Army—Commissions, 358
Established Church (Ireland), Comm. 885

**Local Government Supplemental (1868) Bill** (*Mr. Secretary Gathorne Hardy, Sir James Fergusson*)
*c.* Ordered ; read 1º* *Mar* 26 [Bill 77]
Read 2º* *Mar* 30
Committee* ; Report *April* 2
Read 3º* *April* 3
*l.* Read 1ª* (*The Lord Clinton*) *April* 23
Read 2ª* *April* 28 (No. 70)
Committee* ; Report *April* 30
Read 3ª* *May* 8
Royal Assent *May* 29 [31 *Vict.* c. 10]

**Local Officers Superannuation (Ireland) Bill** (*Sir Colman O'Loghlen, Mr. Pim, Sir John Gray*)
*c.* Bill withdrawn* *Mar* 30 [Bill 17]

LOCKE, Mr. J., *Southwark*
Artizans' and Labourers' Dwellings, Comm. *cl.* 27, 677 ; *cl.* 28, 678 ; Consid. Schedule, 1877
Ireland—Imprisonment of Messrs. Sullivan and Pigott, 449
London Coal and Wine Duties Continuance, Comm. *cl.* 2, 202, 203
Metropolis—Park Lane, 1882
Post Office—Southern District, 358

LONDON, Bishop of
Compulsory Church Rates Abolition, 2R. 1118
Education, 1R. 137

**London Coal and Wine Duties Continuance Bill** (*Mr. Dodson, Lord John Manners, Mr. Hunt*)
*c.* Order for Committee read ; Moved, "That Mr. Speaker do now leave the Chair" (*Lord John Manners*) *Mar* 24, 196
Amendt. to leave out from "That," and add "this House will, upon this day six months, resolve itself into the said Committee" (*Mr. Candlish*)
After short debate, Question, "That the words, &c. ;" A. 147, N. 33 ; M. 114
Main Question put, and agreed to
Committee ; Report *Mar* 24
Consideration *Mar* 26, 326
Read 3º* *Mar* 27
*l.* Read 1ª* (*The Lord Privy Seal*) *Mar* 30
Read 2ª* *Mar* 31 (No. 59)
Committee* ; Report *April* 2
Read 3ª* *April* 3
Royal Assent *May* 29 [31 *Vict.* c. 17]

LONGFORD, Earl of (Under Secretary of State for War)
  Marine Mutiny, 2R. 683, 688

LOWE, Right Hon. R., *Calne*
  Established Church (Ireland), Comm. 728, 920
  Ministerial Statement, 1719, 1812

LOWTHER, Mr. J., *York City*
  Capital Punishment within Prisons, Comm. *cl.* 4, Amendt. 1059, 1060

LUSK, Mr. Alderman A., *Finsbury*
  Army Estimates—Land Forces, 70; Motion for Adjournment, 98
  Army—Fortifications, Res. 2031
    Military Education, Res. 1834
  Capital Punishment within Prisons, Comm. *cl.* 3, 1056; *cl.* 4, 1060, 1061; *cl.* 6, 1062
  Ceylon—Condition of, Motion for a Committee, 975, 978
  Garter King at Arms, 39
  Pilotage, Compulsory, Res. 376
  Post Horse and Carriage Licences Duties, Motion for a Committee, 195
  Supply—British Embassy Houses, 987, 991; Amendt. 995
    Harbours of Refuge, 1000, 1001
    Lighthouses Abroad, 1003
    Mission House, Teheran, 997
    Royal Palaces, 1004
    Volunteer Corps, 272
    Works, Buildings, &c. 290, 291; Amendt. 295

LYVEDEN, Lord
  Compulsory Church Rates Abolition, Comm. 1571
  Ecclesiastical Titles in Great Britain and Ireland, Motion for a Committee, 247, 248
  Parliament—Business of the House, Report of Select Committee, 566
    Notice of Questions, 689, 692
    Public Petitions, Motion for a Select Committee, 689
  Plate, River, Hostilities in the, 452
  Victoria—Appropriation Act, 1682, 1963

MACKINNON, Captain L. B., *Rye*
  Navy—Retired Officers, 1693

McLAREN, Mr. D., *Edinburgh*
  Artizans' and Labourers' Dwellings, Consid. 1569
  Canongate Annuity Tax, 2R. 1087, 1096, 1104, 1106
  Capital Punishment within Prisons, Comm. *cl.* 3, 1056; *cl.* 4, 1059, 1061
  Ceylon—Condition of, Motion for a Committee, 981
  India—East India Civil Service, Res. 1843
  Supply—British Embassy Houses, 990
  Ways and Means—Financial Statement, 1188

MAGUIRE, Mr. J. F., *Cork City*
  Grand Jury Cess (Ireland), 2R. 216
  Ireland—Imprisonment of Messrs. Sullivan and Pigott, 439, 442, 443

MALMESBURY, Earl of (Lord Privy Seal)
  Compulsory Church Rates Abolition, 2R. 1145; Comm. 1571, 1574
  Crete—Insurrection in, Motion for an Address, 805, 816
  Ecclesiastical Titles in Great Britain and Ireland, Motion for a Committee, 254
  Edinburgh, Duke of, Address to Her Majesty, 1304
  Established Church (Ireland)—The Resolutions, 1449
  Friendly Societies, 2R. 1781
  Ministerial Statement, 1686
  Parliament—Business of the House, Report, 560; Res. 690, 693, 694, 696
    Proxies, 570
    Public Petitions, Motion for a Select Committee, 689
  Plate, River, Hostilities in the, 455
  Public Offices, The New, 103, 104, 1684
  Riots in Lancashire, 1221
  Victoria—Appropriation Act, 1682

MANNERS, Right Hon. Lord J. J. R. (Chief Commissioner of Works, &c.), *Leicestershire, N.*
  Artizans' and Labourers' Dwellings, Comm. *add. cl.* 1065; Consid. 1566
  Established Church (Ireland), Comm. 1408, 1943
  London Coal and Wine Duties Continuance, Comm. 198; *cl.* 2, 202, 203; *add. cl.* 204, 205; Consid. *add. cl.* 327
  Metropolis—Burlington House, 467
    Park Lane, 1882
  Parliament—Business of the House, 1681
    Conference Room, 1148
  Royal Academy, The, 1580
  Scientific Instruction, Motion for a Committee, 181
  Supply—Royal Palaces, 1005, 1008, 1010

**Marine Mutiny Bill**
(*Mr. Dodson, Mr. Corry, Lord Henry Lennox*)
*c.* Moved, "That the Bill be now read 2°" (*Mr. Corry*) *Mar* 23, 99; after short debate, Bill read 2°
  Committee *Mar* 30, 559; after short debate, Report
  Considered as amended *Mar* 31, 573
  Moved, "That the Bill be now read 3°" (*Lord Henry Lennox*); after short debate, Bill read 3°
*l.* Read $1^a$* (*The Earl of Longford*) *Mar* 31
  Moved, "That the Bill be now read $2^a$" (*The Earl of Longford*) *April* 2, 683; after short debate, Bill read $2^a$; Committee negatived
  Read $3^a$* *April* 3
  Royal Assent *April* 3 [31 *Vict.* c. 15]

MARLBOROUGH, Duke of (Lord President of the Council)
  Education, 1R. 105, 138; 2R. 1305, 1325
  Education, Technical—Whitworth Scholarships, 822
  Endowed Grammar Schools, 1783
  Parliament—Business of the House, Res. 695

**Marriage Law (Ireland) Amendment Bill**
(*The Marquess of Clanricarde*)
*l.* Presented; read $1^a$* *May* 5 (No. 89)

**Marriages (Frampton Mansel) Bill**
(*Sir James Fergusson, Mr. Secretary G. Hardy*)
*c.* Ordered; read 1° * *Mar* 30 [Bill 79]
Read 2° * *April* 23
Committee *; Report *April* 24
Considered as amended * *April* 27
Read 3° * *April* 28
*l.* Read 1ª * (*The Lord Clinton*) *April* 30
Read 2ª * *May* 1 (No. 85)
Committee *; Report *May* 4
Read 3ª * *May* 5
Royal Assent *May* 29 [31 *Vict*. c. 23]

**Married Women's Property Bill**
(*Mr. Shaw-Lefevre, Mr. Russell Gurney, Mr. Stuart Mill*)
*c.* Motion for Leave (*Mr. Shaw-Lefevre*) *April* 21, 1015
Bill ordered; read 1° [Bill 89]

Marsh, Mr. M. H., *Salisbury*
Commissions, Permanent Expenses of, Res. 1286
Devizes Gaol, 1455
Licences, Res. 148

Martin, Mr. P. Wykeham, *Rochester*
Election Petitions and Corrupt Practices at Elections, Comm. 307
Post Office—Case of A. J. Duffy, Motion for a Committee, 1297

Mayo, Earl of (Chief Secretary for Ireland), *Cockermouth*
Established Church (Ireland), Comm. 553, 865
Grand Jury Cess (Ireland), 2R. Amendt. 209
Industrial Schools (Ireland), Comm. 220; *cl.* 11, Amendt. 221, 222, 223
Ireland—Questions, &c.
Arrests in, 833
Cattle Plague, 1784
Featherstonhaugh, Mr., Murder of, 1459
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Small-pox, Deaths from, 1784
Treatment of Prisoners, 259
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Representation of the People (Ireland), 2R. 1958, 1960

**Medical Practitioners (Colonies) Bill** [H.L.]
(*The Duke of Buckingham and Chandos*)
*l.* Presented; read 1ª * *Mar* 26 (No. 56)
Read 2ª * *April* 2
Committee *; Report *April* 3
Committee * *April* 27 (No. 78)
Report * *May* 5
Read 3ª * *May* 7

Melly, Mr. G., *Stoke-upon-Trent*
Artizans' and Labourers' Dwellings, 3R. 2061

*Metcalfe, Sir T. J., Case of*
Amendt. on Committee of Supply *April* 24, To leave out from "That," and add "a Select Committee be appointed to inquire into the case of Sir Theophilus John Metcalfe, C.B., as set forth in his Petition of the 24th day of February, and printed in the Appendix to the Fifth Report on Public Petitions on the 7th day of March 1868" (*Major Anson*), 1268; Question, "That the words, &c.;" after short debate, Amendt. withdrawn

*Metropolis*
*Burlington House—The Royal Academy*, Question, Mr. Cowper; Answer, Lord John Manners *Mar* 30, 467; Question, Mr. Layard; Answer, Lord John Manners *April* 30, 1580
*Main Drainage—Deptford Creek Outfalls*, Question, Mr. Alderman Salomons; Answer, Mr. G. Hardy *Mar* 27, 357
*Park Lane*, Question, Mr. Locke; Answer, Lord John Manners *May* 7, 1882
*Thames Embankment—Steamboat Piers*, Question, Mr. Watkin; Answer, Mr. Tite *April* 27, 1332
*Thames, Obstructions in the*, Questions, Mr. Hardcastle, Lord Otho Fitzgerald; Answers, Mr. Stephen Cave *April* 30, 1577

**Metropolis Gas Bill**
(*Mr. Morrison, Mr. Locke, Mr. Gorst*)
*c.* Moved, "That the Bill be now read 2°" (*Mr. Morrison*) *April* 2, 798; after short debate, Bill read 2° [Bill 49]
Committee *; Report *April* 3

**Metropolis Subways Bill**
(*Mr. Ayrton, Mr. Tite, Colonel Hogg*)
*c.* Committee *; Report *April* 22 [Bill 41]
Read 3° * *April* 23
*l.* Read 1ª * *April* 24, and referred to the Examiners (No. 73)

*Middlesex Registry Office*
Question, Mr. Childers; Answer, Mr. Gathorne Hardy *April* 23, 1146

**Military at Elections (Ireland) Bill**
(*Mr. Serjeant Barry, Major Gavin, Mr. Esmonde*)
*c.* Ordered; read 1° * *April* 27 [Bill 95]

Mill, Mr. J. Stuart, *Westminster*
Capital Punishment within Prisons, Comm. 1047
Election Petitions and Corrupt Practices at Elections, Comm. 308, 702
Established Church (Ireland), Comm. Res. 1928
Municipal Corporations (Metropolis), Leave, 1859
Supply, Proceedings in, Resolution, 1030

Miller, Mr. W., *Leith, &c.*
Canongate Annuity Tax, 2R. 1098, 1105, 1106

Mills, Mr. J. Remington, *Wycombe* (*Chepping*)
Sunday Trading, 2R. 1085

**Mines Assessment Bill**
(*Mr. Percy Wyndham, Mr. Cavendish Bentinck, Mr. Henderson*)
c. Moved, "That the Bill be now read 2°" (*Mr. Percy Wyndham*) *May* 6, 1864; after short debate, Bill read 2° [Bill 11]

Mitchell, Mr. A., *Berwick-on-Tweed*
Election Petitions and Corrupt Practices at Elections, Comm. Amendt. 296

Moffatt, Mr. G., *Southampton*
Bankruptcy Law, 265
Post Office Returns, 2001

Moncreiff, Right Hon. J., *Edinburgh*
Canongate Annuity Tax, 2R. 1100
Established Church (Ireland), Comm. 525
Representation of the People (Scotland), 1885

Monk, Mr. C. J., *Gloucester*
Consecration and Ordination Fees, 1332
Crete—Insurrection in, Motion for an Address, 1225
Ecclesiastical Commissioners Orders in Council, 2R. 327; Comm. 1198; *cl.* 1, 1201
Supply—British Embassy Houses, Amendt. 983, 988, 989

Monsell, Right Hon. W., *Limerick Co.*
Army—Military Education, Res. 1830
Burials (Ireland), 2R. 1067; Explanation, 1454
Ireland—Railway Commission Report, 1463

Montagu, Right Hon. Lord R. (Vice President of the Committee of Privy Council for Education), *Huntingdonshire*
Cattle Plague, 1578
Education, Technical—Mr. Whitworth's Endowment, 700
Foreign Cattle, Importation of, 1149
France—Paris Exhibition, 357
Infectious Diseases, Motion for an Address, 2010
Scientific Instruction, Motion for a Committee, 177
Vaccination—Small-pox at Woolwich, 701

More, Mr. R. J., *Shropshire, S.*
Turnpike Tolls, 1461

Morris, Mr. G., *Galway Bo.*
Representation of the People (Ireland), 2R. 1959

Morrison, Mr. W., *Plymouth*
Metropolis Gas, 2R. 798

Mowbray, Right Hon. J. R. (Judge Advocate General), *Durham City*
County Financial Boards, 2R. Amendt. 1558
Ecclesiastical Commissioners—Benefice of Kilpec, 701
Ecclesiastical Commissioners Orders in Council, Comm. 1196; *cl.* 1, 1201
[*cont.*

Mowbray, Right Hon. J. R.—*cont.*
Established Church (Ireland), Comm. Res. 1, 1512
Ministerial Statement, 1796

**Municipal Corporations (Metropolis) Bill**
(*Mr. Mill, Mr. Thomas Hughes, Mr. Tomline, Mr. Buxton, Mr. Layard*)
c. Motion for Leave (*Mr. J. Stuart Mill*) *May* 5, 1859; after short debate, Bill ordered
Read 1°* *May* 7

**Municipal Rate (Edinburgh) Bill**
(*Mr. M'Laren, Mr. Dunlop, Mr. Baxter*)
c. Ordered; read 1°* *April* 29 [Bill 99]

Murphy, Mr. N. D., *Cork City*
Grand Jury Cess (Ireland), 2R. 211
Industrial Schools (Ireland), Comm. *cl.* 11, 222

**Mutiny Bill** (*Mr. Dodson, Sir John Pakington, The Judge Advocate General*)
c. Ordered; read 1°* *Mar* 24
Read 2°, after short debate *Mar* 25, 238
Committee; Report *Mar* 26, 321
Considered as amended *Mar* 30, 556
Read 3°, after short debate *Mar* 31, 573
l. Read 1ª* (*The Lord Silchester*) *Mar* 31
Read 2ª* *April* 2
Committee negatived
Read 3ª* *April* 3
Royal Assent *April* 3 [31 *Vict.* c. 14]

*Navy*
*Flogging on H.M.S. "Favourite,"* Question, Mr. Serjeant Gaselee; Answer, Mr. Corry *Mar* 23, 35
*Navy Estimates, The,* Question, Mr. Childers; Answer, Lord Henry Lennox *Mar* 24, 147
*Retired Officers,* Question, Captain Mackinnon; Answer, Mr. Corry *May* 4, 1693
*School and Training Ships,* Question, Mr. Whalley; Answer, Lord Henry Lennox *May* 5, 1785
*Tenders for Coal,* Question, Mr. Headlam; Answer, Lord Henry Lennox *April* 30, 1575

Neate, Mr. C., *Oxford City*
Capital Punishment within Prisons, Comm. 1046; *cl.* 4, Amendt. 1058; *add. cl.* 1063
India—East India Civil Service, Res. 1851
Supply—British Embassy Houses, 997
Turnpike Trusts, Motion for an Address, 2021

Neville-Grenville, Mr. R., *Somersetshire, E.*
Bristol, Representation of, 359
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Newdegate, Mr. C. N., *Warwickshire, N.*
Burials (Ireland), 2R. 1074, 1080
Capital Punishment within Prisons, Comm. *cl.* 3, 1056, 1058
Church Rates Commutation, 2R. 1535
Compulsory Church Rates Abolition, 39; 3R. 101; Motion for Adjournment, 207
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NEWDEGATE, Mr. C. N.—*cont.*
Established Church (Ireland), Comm. 941, 1421; Res. 1, 1521; Res. 2, 1896, 1905, 1913, 1922, 1928, 1940, 1947
Ministerial Statement, 1722

*New India and Foreign Offices*
Question, Lord Redesdale; Answer, The Earl of Malmesbury *Mar* 24, 101; *May* 1, 1683; short debate thereon

*New Writs Issued*
*April* 3—*For* Launceston, *v.* Alexander Henry Campbell, Esq., Manor of Northstead
*For* Chipping Wycombe, *v.* Hon. Charles Robert Carington, now Lord Carington
*April* 20—*For* Cockermouth, *v.* John Steel, esq., deceased
*For* The Parts of Kesteven and Holland, in the County of Lincoln, *v.* Sir John Trollope, baronet, called up to the House of Peers
*For* Kent (Eastern Division), *v.* Sir Brook William Bridges, baronet, called up to the House of Peers
*For* Radnorshire, *v.* Sir John Benn Walsh, baronet, called up to the House of Peers
*For* Leominster, *v.* Hon. Arthur Walsh, Manor of Northstead
*April* 21—*For* Grantham, *v.* William Earle Welby, esq., Chiltern Hundreds
*April* 22—*For* Bristol, *v.* Sir Samuel Morton Peto, baronet, Manor of Northstead
*For* Stirling District of Burghs, *v.* Lawrence Oliphant, esq., Chiltern Hundreds
*April* 29—*For* Stamford, *v.* Viscount Cranborne, now Marquess of Salisbury

*New Members Sworn*
*Mar* 23—Edward Aldam Leatham, esq., *Huddersfield*
*Mar* 27—Samuel Carter, esq., *Coventry*
*April* 20—Hon. William Henry Peregrine Carington, *Chipping Wycombe*
Henry Charles Lopes, esq., *Launceston*
*April* 28—Andrew Green Thompson, esq., *Cockermouth*
Viscount Mahon, *Leominster*
*April* 30—William Earle Welby, esq., *Parts of Kesteven and Holland, in the County of Lincoln*
Edmund Turnor, esq., *Grantham*
Hon. Arthur Walsh, *Radnorshire*
John William Miles, esq., *Bristol*
*May* 4—John Ramsay, esq., *Stirling District of Burghs*
Viscount Ingestre, *Stamford*
Edward Leigh Pemberton the Younger, esq., *Kent (Eastern Division)*

NICOL, Mr. J. Dyce, *Kincardineshire*
India—Bank of Bombay, 426, 2057
Telegraphic Communication, 1458

**Non-Traders Bankruptcy (Ireland) Bill**
(*The Marquess of Clanricarde*)
*l.* Read 2ª* *Mar* 23 (No. 38)
Committee*; Report *Mar* 26
Read 3ª* *Mar* 30
*c.* Read 1°* *April* 28 [Bill 98]

NORTH, Colonel J. S., *Oxfordshire*
Army Estimates—Land Forces, 75
Army—Military Education, Res. 1832;—Fever at Mauritius, 1883
Mutiny, Consid. 558
Supply—Works, Buildings, &c. 290

NORTHCOTE, Right Hon. Sir S. H. (Secretary of State for India), *Devonshire, N.*
Abyssinian Expedition—Estimates, 703, 1148, 1338;—Alleged Flogging of Mule Drivers in Abyssinia, 834
Army—Military Education, Res. 1834
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Established Church (Ireland), Comm. 786; Res. 1933
Government of India Act Amendment, Leave, 1201
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Bank of Bombay, 147, 432, 1223, 1224, 2057
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O'BEIRNE, Mr. J. L., *Cashel*
Army—Fortifications, 1456; Res. 2021, 2027, 2042, 2043, 2049, 2053
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Grand Jury Cess (Ireland), 2R. 213
Representation of the People (Ireland), 2R. 1958

O'BRIEN, Sir P., *King's Co.*
Army—Promotions in the Coldstream Guards, 1579, 1883, 1884
Burials (Ireland), 2R. 1080
Established Church (Ireland), Comm. 1370
Grand Jury Cess (Ireland), 2R. 215
Ireland—Imprisonment of Messrs. Sullivan and Pigott, 447
Ministerial Statement, 1741
Post Office—Case of A. J. Duffy, Motion for a Committee, 1296, 1297
Supply—Harbours of Refuge, 1002
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**O'Conor Don**, The, *Roscommon Co.*
  Grand Jury Cess (Ireland), 2R. 210
  Grand Jury Presentments (Ireland), Nomination of Committee, 101; Motion for Adjournment, 102, 238
  Industrial Schools (Ireland), Comm. 218; *cl.* 11, 221, 223

**O'Donoghue**, The, *Tralee*
  Established Church (Ireland), Comm. 1383
  Ireland—Tower of Ardfert—Kerry Grand Jury, 208

**O'Loghlen**, Sir C. M., *Clare Co.*
  Established Church (Ireland), Comm. Res. 1, 1590
  Libel, 2R. 664, 671
  Peerage (Ireland), 2R. 1559, 1564

**O'Neill**, Mr. E., *Antrim Co.*
  Established Church (Ireland), Comm. 513

**Onslow**, Mr. G. J. H., *Guildford*
  Surrey Constabulary, Dismissal of an Inspector of the, 571

**O'Reilly**, Mr. M. W., *Longford Co.*
  Army Estimates—Land Forces, 73
  Army—Military Education, Res. 1832
  Established Church (Ireland), Comm. 629
  India—Religious Provision for Soldiers in India, 262
  Industrial Schools (Ireland), Comm. *cl.* 11, 222
  Poor Law—Gravesend Board of Guardians, 704

**Osborne**, Mr. R. B., *Nottingham*
  Army—Fortifications, Res. 2032, 2041
  Established Church (Ireland), Comm. 634, 771
  Ministerial Statement, 1805, 1807

**Otway**, Mr. A. J., *Chatham*
  Army Estimates—Land Forces, Amendt. 82, 98
  Army—Mortality in the 86th Regiment, Mauritius, 37, 360
  Marine Mutiny, 2R. 99; Comm. Amendt. 559; Consid. 574
  Mutiny, Comm. *cl.* 22, Amendt. 321; Preamble, Amendt. 326
  Supply—British Embassy Houses, 990, 993, 996
    Royal Palaces, 1007
    Volunteer Corps, 272
    Works, Buildings, &c. 288

**Oxford**, Bishop of
  Compulsory Church Rates Abolition, 2R. 1134

**Oyster and Mussel Fisheries Bill**
  (*Mr. Stephen Cave, Mr. Sclater-Booth*)
*c.* Committee*; Report *Mar* 23 [Bill 54]
  Read $3^{o}$* *Mar* 26
*l.* Read $1^{a}$* (*The Duke of Richmond*) *Mar* 27
  Read $2^{a}$* *April* 24 (No. 58)
  Committee*; Report *April* 30
  Read $3^{a}$* *May* 1
  Royal Assent *May* 29 [31 *Vict.* c. 9]

**Paget**, Mr. T. T., *Leicestershire, S.*
  County Financial Boards, 2R. 1555
  Scientific Instruction, Motion for a Committee, 184

**Pakington**, Right Hon. Sir J. S. (Secretary of State for War), *Droitwich*
  Army—Questions, &c.
    Ball Cartridges, 2002
    Commissions, 358
    Cooking Apparatus, 257, 468
    Daily Payment of Men, 263
    Fortifications, 1456, 1457
    Military Education, Res. 1825, 1831
    Military Prisons, 39
    Mortality in the 86th Regiment, Mauritius, 37, 360, 1461, 1883
    Officers Holding Civil Appointments, 1333
    Promotions in the Coldstream Guards, 1579, 1883
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  Army, Administration of the, Res. 2004
  Army Estimates—Land Forces, 40, 79, 80, 82, 95, 98
  Fortifications, Res. 2027, 2030, 2039, 2051
  Marine Mutiny, Consid. 574
  Mutiny, Comm. *cl.* 22, 323; *cl.* 32, 325; Preamble, 326; Consid. 556; Amendt. 558
  Parliament—Business of the House, 1681
  Supply—Enrolled Pensioners, &c. 284, 285
    Volunteer Corps, 278, 280, 281
    Works, Buildings, &c. 285, 291, 292, 294, 295
  Ways and Means, Comm. Res. 1, 1749, 1750, 1752, 1753, 1759, 1760, 1769, 1770

**Palmer**, Sir R., *Richmond*
  Compulsory Church Rates Abolition, 3R. 206

**Parker**, Major Windsor, *Suffolk, W.*
  County Financial Boards, 2R. 1555

**Parliament**
  LORDS—
  *Business of the House*, Moved, "To agree to the Report of the Select Committee on Business of the House" (*The Lord Privy Seal*) *Mar* 31, 560; after debate, Motion withdrawn
  *Private Bills*, On Motion of the Chairman of Committees, Ordered, That no Private Bill brought from the House of Commons shall be read a Second Time after Friday the 12th Day of June next [and other Orders] *April* 27, 1303
  *Private Bills, The Easter Recess*, Standing Order No. 179. Sect. 1. suspended; Time for Petitions against, extended to the First Day on which the House shall sit after the Recess at Easter *April* 2, 682
  *Proxies—Resolution*, That the following Order be added to the Roll of Standing Orders:
  "Standing Order XXXII*a*. Ordered, That the Practice of calling for Proxies on a Division shall be discontinued, and that Two Days' Notice be given of any Motion for the Suspension of this Standing Order" *Mar* 31

PARLIAMENT—LORDS—*cont.*

*Public Petitions—Printing Petitions*, After debate, Resolved, That a Select Committee be appointed to whom all Petitions presented to this House, other than Petitions relating to Private Bills, shall be referred, with Instructions to the said Committee to direct the printing for the Use of the House of such Petitions as they shall think fit (*The Earl Russell*) *April* 2, 688 ; List of the Committee *April* 24, 1221

Ordered, That the Name of the Lord presenting a Petition shall be written thereon *May* 1, 1685

*Questions, Notice of*, Moved, "That it is expedient that Notice of an Intention to ask a Question should be given in the Minutes, except in Cases which admit of no Delay" (*The Lord Privy Seal*) *April* 2, 690 ; after short debate, Motion withdrawn

Moved, "That it is desirable where it is intended to make a Statement or raise a Discussion on asking a Question that Notice of the Question should be given in the Orders of the Day and Notices" (*The Lord Chancellor*), 693 ; after short debate, Motion agreed to

*Committees*, Moved, "That the Committee of Selection are desired to exercise their Discretion in calling for the Service of Lords absent from the House" (*The Lord Privy Seal*)

Amendt. moved, to leave out from ("Selection") and insert ("should in the Exercise of their Discretion call more frequently than at present for the Service of Lords absent from the House") (*Lord Chelmsford*) ; Amendt. withdrawn

Moved, "That the Absence of any Lord from this House, except for sufficient Reason, ought not to prevent the Committee of Selection from calling for his Services" (*The Viscount Halifax*) ; Motion agreed to

*Reports of Bills*, Resolved, That in entering in the Journals the Reports of Bills amended in Committees of the Whole House, the only Name entered therewith shall be that of the Lord who moves the Reception of the Report and takes Charge of the Bill in that Stage (*The Lord Privy Seal*)

COMMONS—

*Arrangement of Business*, Question, Mr. Gladstone ; Answer, Mr. Disraeli *Mar* 26, 263

*Easter Recess*, Moved, "That the House upon its rising do adjourn until Monday, 20th April ;" Ministerial Statement (*Mr. Disraeli*) *April* 3, 826 ; after short debate, Motion agreed to ; House, at rising, to adjourn till Monday, 20th April

*Members' Seats in this House*, Observations, Colonel Greville-Nugent ; Reply, Colonel Sykes *April* 2, 697

*Oath of Roman Catholic Members*, Moved, "That the Oath taken by Roman Catholic Members previous to the alteration of the Oath on the 30th of April, 1866, be read by the Clerk at the Table" (*Mr. Freville-Surtees*) *April* 30, 1582 ; after short debate, Question put, and negatived

"*Oliver Twist," Play of, The Lord Chamberlain*, Question, Mr. Brady ; Answer, Mr. Gathorne Hardy *April* 3, 834

[*cont.*

PARLIAMENT—COMMONS—*cont.*

*Order—Allusion to Debates in the House of Lords*, Question, Mr. Darby Griffith ; Answer, Mr. Speaker *May* 5, 1786

*Proceedings in Committee of Supply*, Resolution [9th February 1858] relative to Proceedings in Committee of Supply read, as followeth :—

"That when it has been proposed to omit or reduce items in a Vote, the Question shall be afterwards put upon the original Vote or upon the reduced Vote, as the case may be, without amendment" *April* 21, 1025

Moved, "That the said Resolution be rescinded" (*Mr. Ayrton*) ; after short debate, Debate adjourned

Debate resumed *April* 28, 1464 ; after short debate, Question put, and agreed to

1. Resolved, That when it has been proposed to omit or reduce items in a Vote, the Question shall be afterwards put upon the original Vote or upon the reduced Vote, as the case may be

2. Resolved, That after a Question has been proposed from the Chair for a reduction of the whole Vote, no Motion shall be made for omitting or reducing any item (*Mr. Chancellor of the Exchequer*)

*Private Bills*

*Board of Trade Reports*—Question, Mr. Waldegrave-Leslie ; Answer, Mr. Stephen Cave *April* 3, 831

*Conference Room, The*, Question, Colonel French ; Answer, Lord John Manners *April* 23, 1148

*Private Bill Legislation—Standing Order* 131, Moved, "That Standing Order 131 (Competition to be a ground of locus standi) be repealed" (*Mr. Dodson*) *Mar* 24, 139 ; after short debate, Motion withdrawn ; Personal Explanation, Mr. Stephen Cave, Sir John Hanmer *Mar* 27, 351

**Partition Bill** [H.L.] (*The Lord Chancellor*)

*l.* Presented ; read 1ª* *April* 3 (No. 67)
Read 2ª* *April* 27
Committee* ; Report *April* 28 (No. 116)
Read 3ª* *April* 30
*c.* Read 1º* *May* 7 [Bill 107]

*Passenger Steamers, Overloading of*

Question, Mr. Sinclair Aytoun ; Answer, Mr. Stephen Cave *Mar* 27, 450

PATTEN, Right Hon. Colonel J. W. (Chancellor of the Duchy of Lancaster), *Lancashire, N.*

Mutiny, Comm. *cl.* 22, 324

PEASE, Mr. J. W., *Durham, S.*

Established Church (Ireland), Comm. Res. 1, 1483
London Coal and Wine Duties Continuance, Comm. 197
Mines Assessment, 2R. 1867
Pilotage, Compulsory, Res. 379

**Peel**, Right Hon. Sir R., *Tamworth*
Scotland—Established Church, 1884

**Peel**, Right Hon. Gen. J., *Huntingdon*
Army Estimates—Land Forces, 65
Established Church (Ireland), Comm. 721, 1388
Ways and Means, Comm. Res. 1, 1764

**Peel**, Mr. A. W., *Warwick*
India—Case of Sir T. J. Metcalfe, Motion for a Committee, 1271

**Peel**, Mr. J., *Tamworth*
India—Bank of Bombay, 1224

**Peerage (Ireland) Bill** (*Sir Colman O'Loghlen, Mr. Monsell, Mr. Shaw-Lefevre*)
*c*. Ordered; read 1°* *April* 2 [Bill 83]
Moved, "That the Bill be now read 2°" (*Sir Colman O'Loghlen*) *April* 29, 1559
Amendt. to leave out "now," and add "upon this day six months" (*Colonel French*); Question, "That 'now,' &c.;" after short debate, Amendt. and Motion withdrawn; Bill withdrawn

**Perth and Brechin Provisional Orders Confirmation Bill** (*The Lord Advocate, Mr. Secretary Gathorne Hardy, Sir James Fergusson*)
*c*. Ordered; read 1°* *Mar* 23 [Bill 74]
Read 2°* *Mar* 26
Committee*; Report *Mar* 30
Read 3°* *Mar* 31
*l*. Read 1ª* (*The Lord Clinton*) *April* 2 (No. 64)
Read 2ª* *April* 30
Committee*; Report *May* 8

*Petit Juries (Ireland) Bill*
Question, Mr. Esmonde; Answer, The Attorney General for Ireland *Mar* 26, 263

**Petroleum Act Amendment Bill** (*Sir James Fergusson, Mr. Secretary Gathorne Hardy*)
*c*. Ordered; read 1°* *April* 23 [Bill 93]
Read 2°* *April* 27

**Petty Sessions and Lock-up Houses, &c. Bill** (*Sir James Fergusson, Mr. Secretary Gathorne Hardy*)
*c*. Ordered; read 1°* *Mar* 23 [Bill 75]
Read 2°* *April* 2
Committee*; Report *April* 20
Read 3°* *April* 21
*l*. Read 1ª* (*The Lord Clinton*) *April* 23
Read 2ª* *April* 30 (No. 71)
Committee*; Report *May* 1

*Pilotage, Compulsory*—see *Board of Trade, Compulsory Pilotage*

**Pim**, Mr. J., *Dublin City*
Burials (Ireland), 2R. 1073
Established Church (Ireland), Comm. Res. 1924
Industrial Schools (Ireland), Comm. 220
[*cont*.

**Pim**, Mr. J.—*cont*.
Ireland—Local Government, 1457
Land Question, 1459
Local Government Acts, 256
Representation of the People (Ireland), 2R. 1954

*Plate, River, Hostilities in the*
Observations, Lord Lyveden; Reply, The Earl of Malmesbury *Mar* 30, 452

*Police*
*Case of Police Sergeant Stone*, Question, Mr. Labouchere; Answer, Mr. Gathorne Hardy *April* 2, 702
*Surrey Constabulary—Dismissal of Inspector Miller*, Question, Mr. Onslow; Answer, Mr. Gathorne Hardy *Mar* 31, 571

**Pollard-Urquhart**, Mr. W., *Westmeath Co.*
Established Church (Ireland), Comm. 516
Grand Jury Cess (Ireland), 2R. 210
Licences, Res. 155

*Poor Law*
*Gravesend Board of Guardians*, Question, Mr. O'Reilly; Answer, Sir Michael Hicks-Beach *April* 2, 704
*Dr. Rogers, Medical Officer of Strand Union*, Question, Sir John Simeon; Answer, Sir Michael Hicks-Beach *Mar* 26, 261

**Poor Law (Ireland) Amendment Bill** (*Mr. Serjeant Barry, Major Gavin*)
*c*. Ordered; read 1°* *May* 4 [Bill 103]

**Poor Relief Bill** [H.L.] (*The Earl of Devon*)
*l*. Moved, "That the Bill be now read 2ª" (*The Earl of Devon*) *Mar* 24, 138; Bill read 2ª
Moved, "That the House do now resolve itself into a Committee" (*The Earl of Devon*) *Mar* 30, 457; after short debate, Motion withdrawn; Bill referred to a Select Committee
And, on April 2, Committee nominated; List of the Committee, 465

*Post Office*
*Annual Reports*, 1866 *and* 1867, Question, Mr. Moffatt; Answer, Mr. Sclater-Booth *May* 8, 2001
*Eastern Mail Services Estimates*, Question, Mr. Crawford; Answer, Mr. Sclater-Booth *Mar* 26, 258
*Post Office, General, Case of A. J. Duffy*, Amendt. on Committee of Supply *April* 24, To leave out from "That," and add "a Select Committee be appointed to inquire into the circumstances connected with the removal of Anthony J. Duffy from his appointment of permanent clerk in the Circulation department of the General Post Office" (*Sir Patrick O'Brien*), 1296; Question, "That the words, &c.;" after short debate, Amendt. withdrawn
*Southern District Post Office*, Question, Mr. Locke; Answer, Mr. Sclater-Booth *Mar* 27, 358
*West India Mail Contract*, Question, Mr. Graves; Answer, Mr. Sclater-Booth *April* 24, 1222

POTTER, Mr. E., *Carlisle*
Scientific Instruction, Motion for a Committee, 169

POTTER, Mr. T. Bayley, *Rochdale*
France—Paris Exhibition, 356

POWELL, Mr. F. S., *Cambridge*
Artizans' and Labourers' Dwellings, Comm. *cl.* 24, Amendt. 676; *cl.* 27, Amendt. *ib.*, 677; *cl.* 28, Amendt. *ib.*; *add. cl.* 1064, 1065, 1066; Consid. 1566
Bristol, Representation of, 359
Ecclesiastical Commissioners Orders in Council, 1198; *cl.* 1, Amendt. 1201
Established Church (Ireland), Comm. Res. 1937
Supply—British Embassy Houses, 987
Tancred's Charity, 2R. 232

**Prisons (Compensation to Officers) Bill**
(*Sir James Fergusson, Mr. Secretary G. Hardy*)
*c.* Ordered; read 1° * *Mar* 30 [Bill 80]
Read 2° * *April* 2
Committee *; Report *April* 20
Read 3° * *April* 21
*l.* Read 1ª * (*The Lord Clinton*) *April* 23
Read 2ª * *April* 27 (No. 72)
Committee *; Report *April* 28
Read 3ª * *April* 30
Royal Assent *May* 29 [31 *Vict.* c. 21]

**Promissory Oaths Bill**
(*The Lord Chancellor*)
*l.* Report of Select Committee *Mar* 23 (No. 51)
Committee * *April* 24 (No. 52)
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Read 3ª *April* 28

*Public Offices, The New*
Question, Lord Redesdale; Answer, The Earl of Malmesbury *Mar* 24, 102; *May* 1, 1683; short debate thereon

PUGH, Mr. D., *Carmarthenshire*
Army Estimates—Land Forces, 72
Mines Assessment, 2R. 1871

*Queensland—Polynesian Labourers*
Question, Mr. P. A. Taylor; Answer, Mr. Adderley *May* 7, 1882

*Railways*
*Accident upon the Brecon and Neath Railway*, Question, The Marquess of Clanricarde; Answer, The Duke of Richmond *May* 7, 1879
*Carriage of Parcels by Railway*, Question, Mr. W. E. Forster; Answer, Mr. Stephen Cave *April* 27, 1333
*Revision of Railways Bill*, Question, Mr. Bazley; Answer, Sir William Hutt *Mar* 23, 35

**Railways and Joint Stock Companies Accounts Bill**
(*Sir William Hutt, Mr. Ellice*)
*c.* Moved, "That the Bill be now read 2°" (*Sir William Hutt*) *April* 29, 1535; after short debate, Bill read 2°

**Railways (Extension of Time) Bill**
(*The Duke of Richmond*)
*l.* Committee * *Mar* 27 (No. 6)
Report * *Mar* 30
Read 3ª * *Mar* 31
Royal Asssnt *May* 21 [31 *Vict.* c. 18]

**Railways (Guards' and Passengers' Communication) Bill**
(*Mr. Henry B. Sheridan, Sir Patrick O'Brien*)
*c.* 2R. deferred, after short debate *Mar* 24, 206 [Bill 66]

RAWLINSON, Sir H. C., *Frome*
India—Bank of Bombay, 147, 427

READ, Mr. C. S., *Norfolk, E.*
Cattle Plague, 1578
County Financial Boards, 2R. 1552

REARDEN, Mr. D. J., *Athlone*
Barrett, The Convict, 1579
Burials (Ireland), 2R. 1083
Established Church (Ireland), Comm. 1534, 1620
Industrial Schools (Ireland), Comm. 218; *cl.* 11, 223
Ireland—Arrests in, 833
Imprisonment of Messrs. Sullivan and Pigott, 450
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Representation of the People (Ireland), 2R. 1952

REBOW, Mr. J. G., *Colchester*
County Financial Boards, 2R. 1551

REDESDALE, Lord (Chairman of Committees)
Ecclesiastical Titles in Great Britain and Ireland, Motion for a Committee, 245
Established Church (Ireland)—The Resolutions, 1452
Parliament—Business of the House, Report of Select Committee, 565, 570; Res. 694, 695
Public Petitions, Motion for a Select Committee, 689, 690
Poor Relief, Comm. 465
Public Office, The New, 102, 104, 1683, 1684

**Reformatory Schools (Ireland) Bill**
(*The Earl of Mayo, Mr. Attorney General for Ireland*)
*c.* Read 2° * *Mar* 30 [Bill 65]

**Registration of Writs (Scotland) Bill**
[H.L.] (*The Lord Colonsay*)
*c.* Moved, "That the Bill be now read 2°" (*The Lord Advocate*) *Mar* 23, 100; after short debate, Bill read 2° [Bill 62]

*Regulation of Railways Bill—The Parcels Clause*
Question, Viscount Halifax; Answer, The Duke of Richmond *April* 28, 1425

**Religious, &c. Buildings (Sites) Bill**
(*Mr. Hadfield, Mr. Bazley, Mr. Leeman, Mr. Akroyd*)
*c.* Moved, "That the Bill be now read 2°" (*Mr. Hadfield*) *April* 1, 662; after short debate, Bill read 2° [Bill 18]
Committee*; Report *April* 21
Considered as amended* *April* 22
Read 3°* *April* 24
*l.* Read 1ª* (*The Lord Cranworth*) *April* 27 (No. 77)

**Renewable Leasehold Conversion (Ireland) Act Extension Bill**
(*Mr. Gregory, Mr. George Morris*)
*c.* Read 2°* *April* 2 [Bill 61]

*Representation of the People Act* (1867)
*Compound Householders*, Question, Mr. Schreiber; Answer, Mr. Disraeli *May* 5, 1785
*Registration of Electors*, Question, Sir Edward Buller; Answer, Mr. Disraeli *April* 28, 1458

**Representation of the People (Ireland) Bill** (*The Earl of Mayo, Mr. Disraeli, Mr. Attorney General for Ireland*)
*c.* Moved, "That the Bill be now read 2°" (*The Earl of Mayo*) *May* 7, 1949; after debate, Bill read 2° [Bill 71]

*Representation of the People (Scotland) Bill*
Question, Mr. Gladstone; Answer, Mr. Disraeli *May* 8, 2004
*Poor Assessment*, Motion for Return of Deductions allowed [and other Particulars] (*The Earl of Airlie*) *Mar* 27, 328; Motion agreed to

**Representation of the People (Scotland) Bill**
(*The Lord Advocate, Mr. Chancellor of the Exchequer, Sir James Fergusson*)
*c.* Committee deferred, after short debate *Mar* 23, 99 [Bill 29]
Question, Mr. Craufurd; Answer, Mr. Disraeli *April* 3, 829; Questions, Mr. Moncreiff, Mr. Bouverie; Answers, Mr. Disraeli *May* 7, 1885

**Revenue Officers Disabilities Removal Bill** (*Mr. Monk, Sir H. Verney, Mr. Otway*)
*c.* Ordered; read 1°* *Mar* 24 [Bill 76]

RICHMOND, Duke of (President of the Board of Trade)
Brecon and Neath Railway, Accident on the, 1881
Capital Punishment within Prisons, 2R. 1879
Compulsory Church Rates Abolition, Comm. 1572
Ministerial Statement, 1690
Railways Regulation—The Parcels Clause, 1425
Sea Fisheries, 2R. 465, 466

*Riots in Lancashire—The Staffordshire Colliers*
Question, The Earl of Lichfield; Answer, The Earl of Malmesbury *April* 24, 1221

ROEBUCK, Mr. J. A., *Sheffield*
Established Church (Ireland), Comm. Motion for Adjournment, 660, 710, 773, 779; Res. 1907
Sale of Liquors on Sunday, 40

ROMILLY, Lord
Bankruptcy Acts Repeal, 2R. 28; Comm. 1218, 1220

*Royal Academy—Burlington House*
Question, Mr. Cowper; Answer, Lord John Manners *Mar* 30, 467; Question, Mr. Layard; Answer, Lord John Manners *April* 30, 1580

ROYSTON, Right Hon. Viscount (Comptroller of the Household), *Cambridgeshire*
Established Church (Ireland), Comm. Res. 1, 1485

*Rule of the Road at Sea*
Question, Mr. Holland; Answer, Mr. Stephen Cave *April* 2, 705

RUSSELL, Earl
Compulsory Church Rates Abolition, 2R. 1111, 1142, 1217; Comm. 1570
Crete—Insurrection in, Motion for an Address, 817
Edinburgh, Duke of, Address to Her Majesty, 1304
Education, 1R. 134
Established Church (Ireland)—The Resolutions, 1435, 1437
Marine Mutiny, 2R. 687
Parliament—Business of the House, Report of Select Committee, 570
  Notice of Questions, Res. 691
  Public Petitions, Motion for a Select Committee, 688, 690
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RUSSELL, Colonel Sir C., *Berkshire*
Army Estimates—Land Forces, 89
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Ways and Means, Comm. Res. 1, 1766

*"St. Abbe," Survivors of the*
Question, Mr. Baillie Cochrane; Answer, Sir Stafford Northcote *Mar* 26, 260

ST. AUBYN, Mr. J., *Cornwall, W.*
Mines Assessment, 2R. 1867

*Sale of Liquors on Sunday Bill*
Question, Mr. Roebuck; Answer, Mr. J. A. Smith *Mar* 23, 40

Salisbury, Marquess of (see also Cranborne, Viscount)
Victoria—Appropriation Act, 1992, 1994

Salomons, Mr. Alderman D., *Greenwich*
London Coal and Wine Duties Continuance, Comm. *add. cl.* 205
Metropolis—Deptford Creek Outfalls, 357
Ways and Means—Financial Statement, 1189

Samuda, Mr. J. D'A., *Tavistock*
Army—Fortifications, Res. 2036, 2053
London Coal and Wine Duties Continuance, Comm. 197; *cl.* 2, 203
Ways and Means, Comm. Res. 1, 1763

Samuelson, Mr. B., *Banbury*
Scientific Instruction, Motion for a Committee, 160, 186

Sandford, Mr. G. M. W., *Maldon*
Ministerial Statement, 1798
Supply—Royal Palaces, 1013

*Sanitary Act,* 1866—*Sewage Utilization Act,* 1867—*Levying of Rates*
Question, Viscount Enfield; Answer, Sir James Fergusson *Mar* 26, 258

*Sat First*
*April* 2—The Lord Carington, after the Death of his Father
*May* 7—The Marquess of Salisbury, after the Death of his Father
*May* 8—The Earl of Ellesmere, after the Death of his Father

*New Peers Introduced*
The Right Hon. Sir John Trollope, Baronet, Baron Kesteven of Casewick in the County of Lincoln *May* 5
Sir Brook William Bridges, Baronet, Baron Fitzwalter of Woodham Walter in the County of Essex

Schreiber, Mr. C., *Cheltenham*
Compound Householder, The, 1785
Compulsory Church Rates Abolition, 3R. Motion for Adjournment, 207
Established Church (Ireland), Comm. 633; Res. 1939
Tancred's Charity, 2R. 236

*Scientific Instruction*
Moved, "That a Select Committee be appointed to inquire into the provisions for giving instruction in theoretical and applied Science to the Industrial Classes" (*Mr. Samuelson*) *Mar* 24, 160; after debate, Motion agreed to; List of the Committee, 186

Sclater-Booth, Mr. G. (Secretary to the Treasury), *Hampshire, N.*
Army—Grant for Fortifications, 260
Coble, Mr., Case of, 1457
Commissions, Permanent Expenses of, Res. 1287
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Sclater-Booth, Mr. G.—*cont.*
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Duffy, A. J., Case of, Motion for a Committee, 1298
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Supply—British Embassy Houses, 992, 995, 997
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*Scotland*
*Education Bill,* Question, Admiral Erskine; Answer, The Lord Advocate *May* 8, 2001
*Established Church of—The Lord High Commissioner,* Question, Sir Robert Peel; Answer, The Lord Advocate *May* 7, 1884
*Poor Assessment,* Motion for Return of Deductions allowed [and other Particulars] (*The Earl of Airlie*) *Mar* 27, 328; Motion agreed to
*Representation of the People Bill,* Question, Mr. Gladstone; Answer, Mr. Disraeli *May* 8, 2004
*Roads, Legislation respecting,* Question, Mr. Waldegrave-Leslie; Answer, The Lord Advocate *Mar* 27, 357
*Trawling for Herrings Bill,* Question, Mr. Lamont; Answer, The Lord Advocate *May* 7, 1882

Scourfield, Mr. J. H., *Haverfordwest*
Commissions, Permanent Expenses of, Res. 1287
County Financial Boards, 2R. 1554
Established Church (Ireland), Comm. Res. 1938
Railway and Joint Stock Companies Accounts, 2R. 1541
Turnpike Trusts, Motion for an Address, 2018

**Sea Fisheries Bill**
(*The Duke of Richmond*)
*l.* Moved, "That the Bill be now read 2ª" (*The Duke of Richmond*) *Mar* 30, 465; after short debate, Bill read 2ª (No. 46)

**Sea Fisheries (Ireland) Bill**
(*Mr. Blake, Colonel Annesley, Lord Claud John Hamilton, Mr. Kavanagh*)
*c.* Ordered; read 1º* *April* 30 [Bill 101]

Selwin-Ibbetson, Mr. H. J., *Essex, S.*
Established Church (Ireland), Comm. 1367

Seymour, Rear-Admiral G. H., *Antrim Co.*
Established Church (Ireland), Comm. 1370

Sheridan, Mr. H. B., *Dudley*
Railways (Guards' and Passengers' Communication), 2R. 206

Simeon, Sir J., *Isle of Wight*
Capital Punishment within Prisons, Comm. *cl.* 4, 1059
Rogers, Dr., Medical Officer of the Strand Union, 261

*Slave Trade, Zanzibar*
Question, Sir T. F. Buxton; Answer, Lord Stanley *April* 30, 1578

Smith, Mr. J. A., *Chichester*
Sale of Liquors on Sunday, 40

Smith, Mr. J. B., *Stockport*
India—Irrigation of Public Lands, Res. 970

Smollett, Mr. P. B., *Dumbartonshire*
India—Irrigation of Public Lands, Res. 946, 958
  Madras Irrigation Company, 1301
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Solicitor General, The (Sir W. B. Brett) *Helston*
Capital Punishment within Prisons, Comm. *cl.* 4, 1060, 1061
Divorce and Matrimonial Causes Court, 2R. 1874
Established Church (Ireland), Comm. 544
Mines Assessment, 2R. 1872
Pilotage, Compulsory, Res. 382, 383

Somerset, Duke of
Compulsory Church Rates Abolition, Comm. 1573
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Education, Technical—Whitworth Scholarships, 825
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*Spain and Prussia—Treaty of Commerce*
Question, Mr. Akroyd; Answer, Lord Stanley *April* 23, 1147

Speaker, The (Right Hon. J. E. Denison) *Nottinghamshire, N.*
Army—Fortifications, Res. 2030, 2051, 2053
Artizans' and Labourers' Dwellings, Consid. 1565; Schedule, 1877
Burials (Ireland), 2R. 1083
Canongate Annuity Tax, 2R. 1105, 1106
County Financial Boards, 2R. 1556
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Electric Telegraphs, Leave, 681, 682
Established Church (Ireland), 708, 1948
India—Madras Irrigation Company, 1302
Marine Mutiny, Consid. 574
Ministerial Statement, 1719, 1819
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Parliament—Members' Seats in this House, 698
Peerage (Ireland), 2R. 1564
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Stacpoole, Mr. W., *Ennis*
Grand Jury Cess (Ireland), 2R. 209
India—Hyderabad, 1148
Representation of the People (Ireland), 2R. 1959

Stanhope, Earl
Ecclesiastical Titles in Great Britain and Ireland, Motion for a Committee, 239
Parliament—Questions, &c.
  Business of the House, Report of Select Committee, 566
  Notice of Question, Res. 693, 696
  Public Petitions, Motion for a Select Committee, 689

Stanley, Right Hon. Lord (Secretary of State for Foreign Affairs), *Lynn Regis*
Belgium—Riots in, 837
Brazil—War in, 359
China—Treaty of Tien-tsin, 1147
Cholera in the Mediterranean, 704
Crete—Insurrection in, 705; Motion for an Address, 1261;—Condition of, 1149
Established Church (Ireland), 356; Comm. Amendt. 495, 500, 707
Slave Trade, Zanzibar, 1578
Spain and Prussia—Treaty of Commerce, 1147
Supply—British Embassy Houses, 986, 987, 989, 995, 996
  Mission House, Teheran, 998, 999
United States—The "Springbok," 2002

Stanley of Alderley, Lord
Parliament—Business of the House, Report, 569
Poor Relief, Comm. 465
Sea Fisheries, 2R. 466

Stansfeld, Mr. J., *Halifax*
Established Church (Ireland), Comm. 859
India—Madras Irrigation Company, 1298, 1301

Stirling-Maxwell, Sir W., *Perthshire*
Ways and Means—Financial Statement, 1178

Stock, Mr. O., *Carlow Bo.*
Ireland—Treatment of Prisoners, 259

**Stockbrokers (Ireland) Bill**
(*Mr. Pim, Sir Benjamin Guinness*)
*c.* Ordered; read 1°* *May* 5 [Bill 104]

Stronge, Sir J. M., *Armagh Co.*
Representation of the People (Ireland), 2R. 1956

Stuart, Colonel W., *Bedford*
Army—Daily Payment of Men, 263
Burials (Ireland), 2R. Amendt. 1083
Established Church (Ireland), Comm. Res. 1924
London Coal and Wine Duties Continuance, Comm. 201
Marine Mutiny, 2R. 99

Sullivan, Mr. Serjeant E., *Mallow*
Established Church (Ireland), Comm. Res. 1, 1518
Grand Jury Cess (Ireland), 2R. 215

**Sunday Trading Bill**
(*Mr. T. Hughes, Lord C. Hamilton, Mr. Lusk*)
c. Moved, "That the Bill be now read 2°" (*Mr. Thomas Hughes*) *April* 22, 1084
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Graham*); Question, "That 'now,' &c;" A. 68, N. 31; M. 37; Bill read 2° [Bill 40]

*Supply*
*Proceedings in Committee of Supply*, Resolution [9th February 1858] relative to Proceedings in Committee of Supply read, as followeth:—
"That when it has been proposed to omit or reduce items in a Vote, the Question shall be afterwards put upon the original Vote or upon the reduced Vote, as the case may be, without amendment" *April* 21, 1025
Moved, "That the said Resolution be rescinded" (*Mr. Ayrton*); after short debate, Debate adjourned
Debate resumed *April* 28, 1464; after short debate, Question put, and agreed to
1. Resolved, That when it has been proposed to omit or reduce items in a Vote, the Question shall be afterwards put upon the original Vote or upon the reduced Vote as the case may be
2. Resolved, That after a Question has been proposed from the Chair for a reduction of the whole Vote, no Motion shall be made for omitting or reducing any item (*Mr. Chancellor of the Exchequer*)

*SUPPLY*
Considered in Committee *Mar* 23 — Army Estimates—Statement of the Secretary of State for War (*Sir John Pakington*) on moving the First Resolution, 40
Resolutions reported *Mar* 24
Considered in Committee *Mar* 26, 268—Army Estimates
Resolutions reported *Mar* 27
Considered in Committee *April* 2, 799—Civil Service Estimates—Vote of £1,200,000 on account
Resolution reported *April* 3
Considered in Committee *April* 20—Civil Service Estimates — Class I.—Public Works and Buildings, 983 — Resolutions reported *April* 21

Surtees, Mr. C. Freville-, *Durham, S.*
Roman Catholic Oath, 1582, 1583

Surtees, Mr. H. E., *Hertfordshire*
Army Estimates—Land Forces, 97
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Sykes, Colonel W. H., *Aberdeen City*
Abyssinian Expedition, 1338
Army—Cooking Apparatus, 257
Fortifications, Res. 2029, 2030
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Military Education, Res. 1837
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Sykes, Colonel W. H.—*cont.*
Artizans' and Labourers' Dwellings, Comm. *cl.* 28, 677
Canongate Annuity Tax, 2R. 1104
Ceylon—Condition of, Motion for a Committee, 979
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India—East India Civil Service, Res. 1850, 1851
Parliament—Members' Seats in this House, 698
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British Embassy Houses, 983, 984, 991, 993, 995
Mission House, Teheran, 998
Volunteer Corps, 269
Works, Buildings, &c. 287
Ways and Means—Financial Statement, 1175

**Tancred's Charity Bill** (*Mr. Beresford Hope, Mr. Walpole, Viscount Cranborne*)
c. Moved, "That the Bill be now read 2°" (*Mr. Beresford Hope*) *Mar* 25, 224 [Bill 67]
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Shaw-Lefevre*); after debate, Question, "That 'now,' &c; A. 69, N. 83; M. 14; words added; 2R. put off for six months

Taunton, Lord
Education, Technical—Whitworth Scholarships, 824
Endowed Grammar Schools, 1782, 1783
Parliament—Business of the House, Res. 692
Public Offices, The New, 1684

Taylor, Mr. P. A., *Leicester*
Queensland—Polynesian Labourers, 1882
Sunday Trading, 2R. 1085

*Thames Embankment—Steamboat Piers*
Question, Mr. Watkin; Answer, Mr. Tite *April* 27, 1332

*Thetford, Member for—Titles of Dignity*
Question, Mr. Darby Griffith; Answer, Mr. Disraeli *April* 3, 831

Tite, Mr. W., *Bath*
Metropolis—Thames Embankment, Steamboat Piers, 1332

**Titles to Land Consolidation (Scotland) Bill** (*The Lord Advocate, Mr. Secretary Gathorne Hardy, Sir Graham Montgomery*)
c. Read 2°* *April* 20 [Bill 57]

Torrens, Mr. W. T. McCullagh, *Finsbury*
Artizans' and Labourers' Dwellings, Comm. *cl.* 6, 673; *cl.* 24, 676; *cl.* 27, 677; *add. cl.* 1064; Consid. 1565; *add. cl.* 1875, 1876, 1877
Established Church (Ireland), Comm. 608

Trevelyan, Mr. G. O., *Tynemouth*
India—East India Civil Service, Res. Amendt 1843
Mutiny, Comm. *cl.* 22, 324

*Turkey*
*Insurrection in Crete*, Question, Mr. Kennedy; Answer, Lord Stanley *April* 2, 705
Moved, "That an humble Address be presented to Her Majesty for, Copy of the Instructions to the British Representative at Paris in reference to the identic Note proposed to be communicated to the Porte by Russia, France, Italy, and Prussia" (*Lord Campbell*) *April* 3, 803; after debate, Motion withdrawn; Question, Mr. Layard; Answer, Lord Stanley *April* 23, 1149
Amendt. on Committee of Supply *April* 24, To leave out from "That," and add "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give directions that there be laid before this House, Copy of any Despatches or Correspondence between the Russian Government and the Foreign Office on the subjects of the Insurrection in Crete and of the condition of the Christians in Turkey in the years 1866 and 1867" (*Mr. Monk*), 1225; Question, "That the words, &c.;" after long debate, Amendt. withdrawn

*Turnpike Tolls Legislation*
Question, Mr. More; Answer, Mr. Gathorne Hardy *April* 28, 1461

*Turnpike Trusts Legislation*
Question, Mr. Whalley; Answer, Mr. Gathorne Hardy *April* 3, 833
Amendt. on Committee of Supply *May* 8, To leave out from "That," and add "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copy of all the Communications received in reply to the Circular sent in February 1866 to certain Turnpike Trustees referred to in p. 9 of the Seventeenth Report on Turnpike Trusts, of which Extracts are therein given, together with the names of the Correspondents" (*Mr. Clive*), 2012; Question, "That the words, &c.;" after short debate, Amendt. withdrawn

**United Parishes (Scotland) Bill**
(*Mr. Waldegrave-Leslie, Major Walker, Mr. Wellwood Maxwell, Mr. M'Lagan*)
c. Ordered; read 1° * *April* 1 [Bill 81]
Read 2° * *April* 23
Committee *; Report *April* 24
Considered as amended * *April* 27
Read 3° * *April* 28
l. Read 1ª * (*The Lord Colonsay*) *April* 30 (No. 84)

*United States*
*The Neutrality Laws—The "Alabama" Claims*, Motion for an Address for "Copies or Extracts of any further Correspondence that may have taken place between Her Majesty's Government and the Government of the United States in reference to the *Alabama* and other claims" (*The Earl Russell*) *Mar* 27, 333; after debate, Motion withdrawn
"*Springbok*," *Case of the*, Question, Mr. Bentinck; Answer, Lord Stanley *May* 8, 2002

*Vaccination—Small-pox at Woolwich*
Question, Sir J. Clarke Jervoise; Answer, Lord Robert Montagu *April* 2, 701

**Vagrant Act Amendment Bill**
(*Mr. Pease, Mr. Akroyd, Mr. Liddell*)
c. Ordered; read 1° * *April* 30 [Bill 102]
Read 2° * *May* 7

VANCE, Mr. J., *Armagh City*
Established Church (Ireland), Comm. Res. 1, 1494
Grand Jury Presentments (Ireland), Nomination of Committee, 101, 102, 238
Industrial Schools (Ireland), Comm. Amendt. 217, 221; *cl.* 11, 223
Ireland—Regium Donum, 835
Representation of the People (Ireland), 2R. 1955

VERNER, Mr. E. W., *Lisburn*
Established Church (Ireland), 1462;—Meeting at St. James's Hall, 1886
Industrial Schools (Ireland), Comm. 220

VERNEY, Sir H., *Buckingham*
Army Estimates—Land Forces, 70
Supply—British Embassy Houses, 992
Works, Buildings, &c. 290, 294

*Victoria—The Appropriation Act*
*Postponement of Motion*, Observations, The Earl of Malmesbury *May* 1, 1682; short debate thereon
Observations, Lord Lyveden; Reply, The Duke of Buckingham *May* 8, 1963; long debate thereon

VIVIAN, Hon. Captain J. C. W., *Truro*
Army Estimates—Land Forces, 91
Mutiny, Comm. *cl.* 22, 323
Supply—Works, Buildings, &c. 288; *cl.* 67, 325

VIVIAN, Mr. H. H., *Glamorganshire*
Mines Assessment, 2R. 1870

WALDEGRAVE-LESLIE, Hon. G., *Hastings*
Board of Trade—Private Bills, 831
London Coal and Wine Duties Continuance, Comm. *add. cl.* 205
Passenger Steamers, Overloading of, 451
Scotland—Roads, 357

WALKER, Major G. G., *Dumfriesshire*
Army Estimates—Land Forces, 68

WALPOLE, Right Hon. S. H., *Cambridge University*
Capital Punishment within Prisons, Comm. *cl.* 4, 1059
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## ERRATA.

Page 853, line 28 from bottom, *for* "cautionary" *read* "reactionary."
" " line 27 " " *for* "substantia amor" *read* "substantive union."

END OF VOLUME CXCI., AND SECOND VOLUME OF SESSION 1867-8.

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